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Bwrdd Iechyd Prifysgol
Abertawe Bro Morgannwg
University Health Board



Meeting Date	16th August 2018	Agenda Item	2g.
Report Title	Personal Files		
Report Author	Sharon Vickery, Assistant Director of Workforce - Delivery Units and Medical Staffing		
Report Sponsor	Hazel Robinson, Director of Workforce and OD		
Presented by	Sharon Vickery, Assistant Director of Workforce - Delivery Units and Medical Staffing		
Freedom of Information	Open		
Purpose of the Report	This report is submitted to the Workforce and OD Committee to provide an update on the storage of personal files and the associated risks.		
Key Issues	<p>This report sets out the facts of where personal files are stored, the associated risks and solutions to mitigate the issues.</p> <p>At the current time it is not possible to provide assurance that the current storage arrangements fully meet the information governance standards required by the organisation.</p>		
Specific Action Required <i>(please ✓ one only)</i>	Information	Discussion	Assurance
		✓	
Recommendations	<p>Members are asked to note:</p> <ul style="list-style-type: none"> • The current locations where personal files are stored and the associated risks. • The need for additional resources to resolve the situation. • The need to make some short term decisions to secure the safety of personal files, particularly around the files stored in the Gorseinon Bungalows. • The financial risks facing the Workforce and OD Directorate and the issue of Health Board accountability given the lack of internal storage facilities. • The need to identify how to move to electronic filing in line with the Workforce Digital Strategy. 		

PERSONAL FILES

1. INTRODUCTION

To set out for the Workforce and OD Committee the situation and risks associated with the storage and maintenance of personal files across the Health Board.

2. BACKGROUND

Since the inception of the Health Board in 2008, there have been two different methods of retaining personal files. In the East of the Health Board, managers retain personal files, whereas in the West personal files are centralised within the Workforce Teams. Whilst this is not ideal, the system has worked adequately in the past.

Slowly as Workforce resources diminished due to cost improvement programmes, the Workforce Team in the West were unable to adequately maintain personal files. Also, as geographical changes have occurred, often moving to smaller offices, there no longer is the space to retain personal files. Please note for the last few years since Shared Services have undertaken the Health Board's recruitment services, they have sent the documentation electronically to line managers and not to Workforce, meaning that personal files now in the West increasingly are being held by line managers.

The current storage situation is as follows:-

1. Personal files non-medical staff for Murrison and Singleton Delivery Units: These are held off site in private storage. These are not adequately stored as there are insufficient resources to remove the personal files from crates and refile in the cabinets in very cramped conditions (previously these personal files were being retained in Maes y Gwernan Hall before it was demolished). This is costing £165 plus VAT per month. There is no budget for this and the Workforce Directorate is spending money at risk.
2. Singleton: There is a room in Singleton Hospital holding personal files which is not always secure as contractors have access to the room.
3. Cefn Coed Hospital: Old files are retained here. They have recently been moved to the former Vocational Training site in Cefn Coed as parts of the site are being demolished. This building is due for demolition imminently and we anticipate that we will be asked to move these files shortly.
4. Murrison Hospital Medical Staffing: The personal file for all doctors are still retained in the newly housed Medical Workforce Team in Murrison. They are dependent on being able to move terminated files to Gorseinon Bungalows as there is insufficient space. This also applies to Agenda for Change files as there is no storage space at Murrison.
5. Gorseinon Bungalows: Old personal files and other HR files such as Agenda for Change are retained here. The building was recently broken into and a rodent infestation and the presence of asbestos have been reported. Tests have

proven more recently however that the air quality is good and does not pose any risk to staff.

6. Personal files in the East are held by line managers, but it is unclear how well they are being managed.

It should be noted that Workforce staff have refused to move any more files as it is hazardous to their musculoskeletal health and initially refused to visit Gorseinon due to the rodent infestation and asbestos.

We have thoroughly explored Health Board storage and have been told there is nowhere where these files can be stored. Very recently however we have been told we can move the files from Gorseinon to one of the offices in HQ on the top floor. This is not a long term solution but offers a welcome short term reprieve. Please note ideally, the Health Board should be moving to electronic filing in line with the Workforce Digital Strategy.

Since the introduction of GDPR the situation is even more precarious. As a result of the breach in Gorseinon which was considered a data breach, which had to be reported to the Information Commissioner within 72 hours. The Health Board's Information Governance Team undertook an audit which is attached as appendix A for information. . It should be noted that the audit was broader than personal files but this document gives a flavour of the issues identified. A meeting is being arranged with the Information Governance Team as it is believed that some of the information is inaccurate.

The Information Governance Team's approach is that each area is responsible for their own files. Whilst there is no dispute that the maintenance of personal files in a centralised system is a core workforce function. However, the Health Board's inability to provide a safe storage facility means that this is not solely a workforce issue or risk, but also an organisational one. It should be noted that there is no budget to support moving the files into private storage. Consequently the Workforce Directorate is carrying this financial risk on behalf of the Health Board and as such this should not form part of the financial assessment at the end of the year.

To resolve this situation the following is needed:-

- A minimum of 2 temporary staff to sort, sift and destroy files aged over 6 years. Gorseinon will be the first priority. Two agency staff will be engaged to undertake this work. Given the need to move quickly the files will be moved to HQ and once there will be sorted, sifted and files destroyed if they are no longer in use after 6 years. A permanent record will need to be created in line with the regulations. This work and associated costs will need to be replicated to deal with the files held in Singleton and Cefn Coed. An Action plan is attached at Appendix B.
- Agree how to move to an electronic solution as there is no space for these files on NHS premises in the longer term.
- Utilise additional resources to audit compliance with best practice in terms of how personal files are being retained by line managers in Neath and POW.

3. GOVERNANCE AND RISK ISSUES

Personal Files are legal documents. The inability to store files safely raises both reputational and actual risks for the Health Board through possible Information Commissioner fines which can be considerable.

4. FINANCIAL IMPLICATIONS

There is a need for additional resources to resolve this situation both in terms of additional temporary staff, external off site private storage and in moving to an electronic filing system. There is also the possibility of Information Commissioner fines which can be considerable. It should be noted there are no funds to support this work and whilst the Workforce Directorate are incurring expenditure at risk, this also is a Health Board financial risk and should not only sit with the Director of Workforce and OD.

5. RECOMMENDATION

Members are asked to note:

- The current locations where personal files are stored and the associated risks.
- The need for additional resources to resolve the situation.
- The need to make some short term decisions to secure the safety of personal files, particularly around the files stored in the Gorseinon Bungalows.
- The financial risks facing the Workforce and OD Directorate and the issue of Health Board accountability given the lack of internal storage facilities.
- The need to identify how to move to electronic filing in line with the Workforce Digital Strategy.

Governance and Assurance											
Link to corporate objectives <i>(please ✓)</i>	Promoting and enabling healthier communities		Delivering excellent patient outcomes, experience and access		Demonstrating value and sustainability		Securing a fully engaged skilled workforce		Embedding effective governance and partnerships		
									x		
Link to Health and Care Standards <i>(please ✓)</i>	Staying Healthy	Safe Care	Effective Care	Dignified Care	Timely Care	Individual Care	Staff and Resources				
							✓				
Quality, Safety and Patient Experience											
The safety of personal files in light of GDPR											
Financial Implications											
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Legal Implications (including equality and diversity assessment)											
Breach of the Data Protection Act											
Staffing Implications											
Additional temporary resources needed											
Long Term Implications (including the impact of the Well-being of Future Generations (Wales) Act 2015)											
Not applicable											
Report History			First Report								
Appendices			Appendix A: IG Compliance Audit: Gorseinon Bungalows Appendix B: Personal Files Action Plan								