

## PATIENT INFORMATION

# Your Child's Records

### Welcome

Children and Family Health Devon aims to ensure that the care and support your child receives is planned and delivered to meet their individual needs. Where staff from different services are working together to arrange the services your child requires, they may need to share information. This may include social care services within Devon County Council and, on occasion, we will hold joint records with them.

Information held about your child is kept securely on electronic information systems or in paper files.

### What information can be found in your child's records?

Records will consist of information relating to your child which may include parental and sibling details, contact details, ethnicity and special needs, healthcare information, assessments and care plans. Joint records may include a mixture of health and social care information. The staff who see your child will also add notes based on their professional opinion.

We use the information collected to:

- Record important information, decisions and outcomes.
- Help professionals to provide appropriate support and care to children, young people and families.
- Develop and improve services
- Measure how well we are doing

You may be asked if you would be willing to take part in research projects but you do not have to agree if you do not want to. Research information shared will not include person identifiable information.

### Who will this information be shared with?

Your child's information may be shared on paper, verbally or on electronic information systems, subject to consent where appropriate.

Your child's information will be shared with the people directly involved in their care and who have a genuine need to be informed. For example: nurses, GPs, child and adolescent mental health services (CAMHS), children's centres, child health, social care services, occupational therapy, physiotherapy and other professionals who work with your child.

Consent will normally be asked for prior to sharing your child's information with other professionals involved in their care. The only exceptions would be if your data is required by law or if we anonymise it. In some circumstances, when we feel that your child or others are at risk, we may share information without consent.

## **Who gives consent?**

We will involve children and young people as much as possible in discussions about their care. In some situations children are able to give consent themselves, and sometimes others need to take the decision on their behalf. We will always consider what is in the best interests of the child.

- Where a child or young person does not have the capacity to make an informed decision, we will seek consent from the person with legal authority to act on the child's behalf. This could be a parent, guardian or other person with parental rights.
- Children under 16 may still be able to give consent for themselves if they are mature enough to understand full what is involved. This is known as Gillick Competency and a link to more guidance is provided below.

[http://www.nhs.uk/nhsengland/aboutnhservices/documents/consent\\_%20aguideforparentsdh\\_4117353.pdf](http://www.nhs.uk/nhsengland/aboutnhservices/documents/consent_%20aguideforparentsdh_4117353.pdf)

## **You can decide not to share your child's information**

If you or your child do not wish your child's information to be shared in the way described in this leaflet, please make this clear to the person carrying out their care. It is important to discuss your concerns with professionals in the service so that a decision or agreement can be reached.

If we feel that a child's immediate safety is at risk, we can share relevant information without consent to help us manage any potential situation e.g. child protection, emergency medical procedures, etc.

## **How do I obtain a copy of my child's records?**

A parent does not have an automatic right to information held about their child. The right belongs to the child; however, if the child is too young to make their own request the parent can act on their behalf, providing the parent has Parental Responsibility. Once the child reaches sufficient maturity, the child can exercise their own right, and the parent must act with the child's consent.

If you would like further information or a copy of your child's records, you can:

- Speak to the professional who is caring for your child
- Contact the Data Access & Disclosure Office whose details can be found at the end of this leaflet.

## **What if the information in the records is incorrect?**

Non-clinical information can be corrected easily such as updating your child's name or address. Clinical information cannot usually be amended because it is a complete record of your child's care and helps healthcare professionals understand early decisions that were made about any care or treatments. More information can be found in the following link: <http://www.nigb.nhs.uk/pubs/amendrecords>

If you feel something is not right after reading your child's records, please discuss this with us.

## **Respecting your child's privacy and confidentiality**

Children and young person's records are confidential and protected under the:

- Common law duty of confidentiality
- General Data Protection Regulation 2018
- Data Protection Act 2018
- Human Rights Act 1998

Everyone who works for the NHS has a legal duty to maintain the highest level of confidentiality.

## **Will I see all of the information held in the records?**

By law, we must examine the records before they are sent to you since there are a number of exemptions that may oblige us not to disclose some information to you. These exemptions include:

- Personal information about other people
- Personal information that may cause serious harm to your child's physical or mental health, or to that of another person
- Personal information where disclosure would be likely to prejudice or detection of crime.

## **What if I have any questions?**

If you would like to talk to us about your child's records or if you have any questions please write to the Data Protection Officer (Head of Information Governance) at:

Data Access & Disclosure Office  
Kitson Hall  
Torbay Hospital  
Lowes Bridge  
Torquay TQ2 7AA

Or email [dataprotection.tsdf@nhs.net](mailto:dataprotection.tsdf@nhs.net)

If you are unhappy after you have spoken to us or for more information about your rights under the Data Protection Act you can contact the Information Commissioners Office. Their details are:

The Information Commissioner's Office  
Wycliffe House  
Cheshire SK9 5AF  
Helpline: 08456 30 60 60

W: [www.ico.gov.uk](http://www.ico.gov.uk)

[www.childrenandfamilyhealthdevon.nhs.uk](http://www.childrenandfamilyhealthdevon.nhs.uk)

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For further assistance or to receive this information in a different format, please contact the department which created this leaflet.