

Caldicott Guardian Guidance Explained



Are you ready for the new Caldicott Guardian guidance coming into force from 30th June 2023. Here QCS unravels the new guidance that requires health and social care organisations to appoint a Caldicott Guardian.

Social care has been included in new guidance that will require organisations to appoint a Caldicott Guardian.

The National Data Guardian (NDG) for health and social care published the [guidance](#) following a period of consultation.

To date it has been NHS organisations and local authorities which have been required to have a Caldicott Guardian in place, but there are also organisations across health and social care who have voluntarily appointed Guardians.

The new guidance extends who is required to appoint a Caldicott Guardian which now includes:

- **Public bodies** within the health service, adult social care or adult carer support sector in England that handle confidential information about patients or service users
- **Organisations contracted by public bodies** to deliver health or adult social care services that handle confidential information about patients or service users

By 30 June 2023 organisations are 'encouraged' to have:

- Registered the details of their Caldicott Guardian on the [Caldicott Guardian Register](#)
- Complete the same details on their annual [Data Security and Protection Toolkit \(DSPT\)](#)

What is a Caldicott Guardian?

The NDG say, 'Caldicott Guardians are senior people within an organisation who protect the confidentiality of people's information by considering the ethical and legal aspects of data sharing. They play a vital role in ensuring that health and social care data is used responsibly to support the delivery of better care.'

Central to the job are the '[Caldicott Principles](#)' which are the underpinning principles that Guardians are appointed to help their organisation uphold.

Currently these are:

Principle 1: Justify the purpose(s) for using confidential information

Principle 2: Use confidential information only when it is necessary

Principle 3: Use the minimum necessary confidential information

Principle 4: Access to confidential information should be on a strict need-to-know basis

Principle 5: Everyone with access to confidential information should be aware of their responsibilities

Principle 6: Comply with the law

Principle 7: The duty to share information for individual care is as important as the duty to protect patient confidentiality

Principle 8: Inform patients and service users about how their confidential information is used

What does it mean for my organisation?

The NDGC guidance acknowledges that operationally Guardians will work differently depending on the type and size of the organisation. The guidance says 'A Caldicott Guardian in a small or medium-sized care home might be a social care professional or registered nurse; they will likely have less infrastructure and resources to support them, and may be dealing with different issues, such as trying to ensure good information sharing between the health and social'.

The guidance itself does not lay out how Caldicott Guardians will work in each organisation, but it does acknowledge some of the cross over that may occur with other established roles such as Data Protection Officers.

We are too small a provider to deal with this, what do we do?

If you feel your organisation does not have enough staff to appoint to the role, the guidance does propose you make other arrangements with your commissioner or if you are part of a larger group of homes, you could share a Caldicott Guardian.

What other information does the guidance cover?

The guidance also sets out:

- Advice on appointments
- How the organisation should support the role
- The role and responsibilities of the job
- The competencies and knowledge a Caldicott Guardian should have

Further Information

It is important that you read the NDG guidance through to fully understand your responsibilities. If you are looking for further help, the UK Caldicott Guardian Council provide support and advice including a [new Caldicott Guardian Checklist](#).

Further support, including a Caldicott Guardian Policy and Procedure, can also be found on your QCS system.