

**Risk of data breach**

***Practice* Based Scenario**

**About this document**

This document is designed to take you through a practice-based scenario to help you reflect on what you might do if faced with a similar situation. It can be used to guide your thoughts and prompt discussion with your colleagues. Working through this document counts towards your continuing professional development (CPD). Your reflections on this document are not assessed and you do not have to send your responses to the RCSLT.

You can work through it on your own, with a colleague or supervisor, or in groups, eg as part of an RCSLT Hub or Clinical Excellence Network.

This document is broken into six parts:

1. **The scenario:** for you to read
2. **The issues to consider:** for you to gather your thoughts on practice issues relating to this scenario
3. **Next steps:** for you to plan out what you would need to do next
4. **Prompts for consideration:** RCSLT prompts for further consideration
5. **Sources of further information:** links to professional guidance
6. **Update your CPD diary:** for you to do
7. **The scenario**

**A file has gone missing.**

**You’ve checked with colleagues but nobody knows where it was last seen.**



**What do you do in this scenario?**

1. **The issues to consider**

**What do you need to consider?**

Think about the above scenario and its implications and jot down your notes about issues you may need to consider. Please feel free to use extra sheets of paper if you need. Or, if you are in a group, you may like to record on a whiteboard or flipchart.

1. **Next steps**

**What steps do you think you need to take next?**

1. **Prompts for consideration**

In this scenario there will be lots of questions as to who is responsible and how to resolve the issue. This is potentially a high-risk governance issue.

It is recommended that you think about the following prompt questions and formulate a considered strategy to deal with the problem.

Remember that if you are faced with a similar situation you will need to think about it in relation to the frameworks within which you work, such as the Health and Care Professions Council (HCPC) Standards, RCSLT professional guidance and resources, local and national policies and also policies of your employer (or your own policies if practising independently).

Please note that this list is not exhaustive and does not constitute legal advice.

**Prompt questions to consider**

1. Who has responsibility for the record?
2. Who do you need to inform of the loss?
3. How do you make a risk assessment?
4. What policies and procedures should be in place?
5. Are there safeguarding issues?
6. What reflections should be made about record security following this loss?
7. Do you need to review your systems for tracking records?

**Possible next steps**

1. Report the situation to your line manager or IG lead. If you are self employed, seek advice from other professionals in your network.
2. Read your record management policies.
3. Complete an information risk assessment form.
4. Inform the service user whose file has been lost.
5. **Sources of further information**

**The following information in the professional accountability and autonomy, and professional guidance sections of the RCSLT website is also particularly relevant:**

6 - [Manage risk](https://www.rcslt.org/professional-autonomy-and-accountability-guidance#section-10)

8 – [Be open](https://www.rcslt.org/professional-autonomy-and-accountability-guidance#section-12)

9 – [Be honest and trustworthy](https://www.rcslt.org/professional-autonomy-and-accountability-guidance#section-13)

10 – [Record keeping](https://www.rcslt.org/professional-autonomy-and-accountability-guidance#section-14)

[Duty of care](https://www.rcslt.org/duty-of-care)

1. **Update your CPD diary**

Working through this scenario counts towards your continuing professional development (CPD). Once you have completed this scenario, please record this learning and your reflections in your CPD diary.