Confidentiality
Guidance for staff and members

Purpose

The purpose of the guidance is to ensure that all members and users understand the CHC requirements in relation to the disclosure of personal data and confidential information.

Principles

- All personal paper-based and electronic data must be stored in accordance with the Data Protection Act 2018 and must be secured against unauthorised access, unauthorised, unlawful or accidental disclosure, loss or destruction.

- All personal paper-based and electronic data must only be accessible to those individuals authorised to have access.

Statistical recording

CHCs are committed to effective statistical recording of the use of their services and activities in order to monitor usage and performance.

Reviewed by SMT - July 2019

Any reports on our performance shall be produced in anonymous form, so individuals cannot be identified.

Engagement and scrutiny activity

We collect and publish feedback from patients and the public on an anonymous basis.

When using people's stories in our reports or as examples in meetings and presentations we do not share the name of individuals or give any details that might otherwise reveal their identity.

Records

In the office, all paper records are kept in locked filing cabinets. All information relating to individuals will be stored in locked drawers. This includes notebooks, copies of correspondence and any other sources of information.

All electronic data is stored on secure NHS systems

Patients or members of the public may from time to time give personal details (names and contact details) to members or staff when they are away from the office. For example, in order to receive further information or copies of reports.

Members and staff must ensure that these are kept securely and forwarded to the CHC office as soon as possible so that the details can be recorded and the paper information disposed of securely. This can be done either in person or by registered post. Under no circumstances must such

information be disposed of through domestic or any other unsecure form of refuse collection.

Personal details should not be stored on private computers including on emails.

Breaches of confidentiality

The Organisation recognises that exceptionally occasions may arise where individual workers feel they need to breach confidentiality. Confidential or sensitive information relating to an individual may be divulged where there is a serious risk of harm to an individual or the public at large, or where there is a legal obligation to disclose it. In these circumstances, information may be divulged to external agencies e.g. police or social services on a strictly need to know basis.

Where a worker feels confidentiality should be breached the following steps will be taken:

- The worker should raise the matter immediately with the Deputy Chief Officer or Chief Officer.

- The worker must discuss with the Deputy Chief Officer or Chief Officer the issues involved in the case and explain why they feel confidentiality should be breached and what would be achieved by disclosing the information in question. The Deputy Chief Officer or Chief Officer should take a written note of this discussion.

- The Deputy Chief Officer or Chief Officer is responsible for discussing with the worker what options are available in each set of circumstances.

- The Deputy Chief Officer or Chief Officer is responsible for making a decision on whether confidentiality should be breached. If the decision is that confidentiality is to be breached then a full written report on the case should be made and any action agreed undertaken. The Chief Officer is responsible for ensuring all activities are actioned.

It is however recognised that there may be rare instances, for example where there is an immediate danger to life, where it may be appropriate to disclose information to emergency services without following this procedure.

Legislative framework

The Board of CHCs will monitor this guidance to ensure it meets statutory and legal requirements including the Data Protection Act and any other relevant legislation.

Ensuring the effectiveness of the guidance

Existing and new workers/ members will be introduced to the confidentiality guidance via induction and training. The guidance will be reviewed annually and amendments will be proposed and agreed by the Board.

Non-adherence

Breaches of this guidance will be dealt with under the Grievance and/or Disciplinary / Code of Conduct procedures as appropriate.