

HEALTHWATCH DONCASTER CONFIDENTIALITY POLICY

1.0 Introduction

Healthwatch Doncaster CIC (HWD CIC) values its reputation as an open, fair and independent organisation operating as a social enterprise with a high standard of integrity and commitment to its aims and objectives. This reputation is dependent on the conduct of its Directors, Board members, staff and volunteers (herein after collectively called representatives) as they carry out their agreed duties and responsibilities.

1.0 Scope

This policy applies to all representatives of HWD CIC including volunteers.

3.0 Purpose

The purpose of this Confidentiality Policy is to lay down the principles that must be observed by all representatives of HWD CIC and who have access to service user and representative information. Justification for maintaining confidentiality is necessary for a condition of trust.

This policy where relevant, should be read in conjunction with the HWD CIC Data Protection Policy.

1.0 General Principles

- 1.1 This policy sets out to identify how Healthwatch Doncaster CIC (HWD CIC) executes its duty to keep service user and representative information safe and confidential whilst, at the same time, not compromising its ability to share information when it is necessary to do so.
- 1.2 Service user information is “all personal information about members of the public” held in whichever form by HWD CIC
- 1.3 This policy covers all individuals working for HWD CIC at all levels and grades, including staff, Directors, Board Members, contractors, home workers, part-time and fixed term employees, volunteers, agency workers and other representatives.
- 1.4 All representatives of HWD CIC have a duty to keep such information strictly confidential and to use it only for the proper purposes in accordance with the law. This is especially pertinent to the Data Protection Act 1998.
- 1.5 Good practice requires all organisations that have access to service user/representative information to do the following:
 - 1.5.1 Justify the purpose
 - 1.5.2 Use service user identifiable information only if it is absolutely necessary and legally permissible
 - 1.5.3 Ensure that service user identifiable information is accessed only on a strict need to know basis

- 1.5.4 Ensure that everyone with access to service user identifiable information is aware of their responsibilities
- 1.5.5 Understand and comply with the law
- 1.5.6 Ensure service users are given clear information on circumstances where confidential information may be shared with a third party.
- 1.5.7 Undertake relevant training on Information Governance, Confidentiality and the Data Protection Act as part of regular induction and appraisal processes.

2.0 Principles

- 2.1 HWD CIC is committed to maintaining the privacy of all its service users, clients and representatives. It expects all representatives to handle all individuals' personal information in a sensitive and professional manner. All representatives are under an obligation not to gain access to or attempt to gain access to information that they are not authorised to have.
- 2.2 HWD CIC however, recognises the importance of an open culture with clear communication and public accountability and is opposed to secrecy.
- 2.3 HWD CIC also wishes to maintain personal and organisational safety and expects all staff to handle sensitive information in a way that protects organisational security.
- 2.4 Most breaches of confidentiality happen through a lack of awareness of procedures, or insufficient resources, such as lockable cabinets, interview rooms etc. The purpose of confidentiality is essentially two fold. Firstly, it protects the services user's right to privacy. Secondly in order for support to be effective, service users must be able to talk freely about intimate areas of their lives, therefore, confidentiality is necessary for a condition of trust. However, there are specific circumstances where an overwhelming public interest would override this right to confidentiality.
- 2.5 HWD CIC recognises that the best protection against breaches in confidentiality is to keep the number of representatives who have access to sensitive information to a necessary minimum.
- 2.6 The intentional or repeated accident, unauthorised disclosure of any confidential information by any member of staff (or representative of HWD CIC) will be subject to disciplinary action. Any such disciplinary action will take account of the confidential and possible sensitive nature of the information and will make sure that in dealing with it, no further breaches of confidentiality take place.

3.0 Procedures

- 3.1 Records containing confidential information regarding any person connected with HWD CIC will be kept in a safe and secure place, either on computers (password protected) or paper files (stored in a locked filing cabinet). All personal information (computerised or otherwise recorded) collected and held by HWD CIC is covered by the Data Protection Act.
- 3.2 No confidential personal information will be shared with a third party without the consent of the person to whom that information refers; this includes telephone numbers and addresses.

- 3.3 Only confidential personal information records that are necessary for the working of HWD CIC will be kept, and only for as long as is absolutely necessary.
- 3.4 Confidential personal information will be shredded or disposed of in an appropriate way, as soon as HWD CIC no longer requires it.
- 3.5 HWD CIC will not convey to any person outside the organisation, any document relating to confidential personal information.
- 3.6 HWD CIC will not disclose any confidential personal information on issues shared by a member of the public unless:
 - i. there is a risk to that person or others;
 - i. illegal activity has been undertaken;
 - ii. there are concerns of any kind of abuse; or
 - iii. the member of the public needs help that HWD CIC cannot provide and therefore, needs to share information with a third party.
- 3.7 HWD CIC will not disclose confidential personal information on the Disclosure and Barring clearance of anyone without that person's written consent.
- 3.8 HWD CIC will not use any publicity materials containing photographs of an individual without that person's permission or the permission of a parent or guardian if appropriate.

4.0 Review

This policy will be reviewed in the light of any changes to legislation or national policy and no later than 12 months after implementation.

