

Healthwatch Cambridgeshire Confidentiality Policy

This policy applies to all staff, volunteers and board members of Healthwatch Cambridgeshire (HWC).

Introduction

The collection of data is central to the function of Healthwatch Cambridgeshire (HWC). This will include information about services, covering both invited and informal feedback, as well as a certain amount of information about the people who use our services, as well as our staff, Board Members and volunteers. Our confidentiality policy aims to safeguard privacy and ensure appropriate access to information. We respect people's rights to confidentiality and do not, except in special circumstance (set out below) disclose information to third parties.

The processing of information is governed by the Data Protection Act (1998) and the Human Rights Act (1998). This Confidentiality Policy is compatible with this legislation. Staff and volunteers should ensure that they are familiar with these Acts. Our Safeguarding Vulnerable Adults and Safeguarding Children policies should also be taken into account in considering how we maintain confidentiality.

As set out in our Data Protection Policy, HWC has a privacy statement for clients, setting out how their information will be used. This is available on request, and is also published on our website. Staff and volunteers are required to sign a short statement indicating that they have been made aware of their confidentiality responsibilities.

Aim

The aim of this policy is to ensure that we collect, store, maintain and if necessary share information about individuals in a way that is proportionate and safe.

Principles

- We will collect only information that is needed to fulfil our legal duties and to safeguard staff, volunteers and clients.
- All hard copy personal information will be kept in a locked cabinet and will be accessible only to those who need to see it.
- All electronic information will be kept in designated folders and protected by passwords and firewalls, as appropriate.

- Personal information will only be kept on mobile devices, ie laptops, phones, tablets or external drives, with appropriate security/encryption.
- Information will be factual.
- Permissions will be sought from individuals regarding the use of their data and that data will only ever be used for that specified purpose.
- We will not keep personal information any longer than needed.
- Information that is no longer needed will be shredded or deleted.
- It is everyone's responsibility to ensure that confidentiality is maintained both inside and outside work.
- Where it is necessary to transmit personal information electronically only secure communications methods will be used.

Reports/ Case Studies

Reports or case studies concerning individuals must not name the individual and should retain anonymity. In cases where this is not possible, information is given with the strictest confidence, with the client consent.

Requests by a client, staff member or volunteer to see their personal information

Individuals have the right to inspect digital, electronic and paper information kept about them. To do so, they should put a request in writing where possible, to the Chief Executive. The relevant sections of the file can be copied within 14 days for the client, staff member or volunteer or inspected during an interview.

Where the requested information includes personal information on another individual this is classed as a third party reference. It should be considered whether to release that information as the third party may be owed a duty of confidence. Other information held on file which identifies a third party should be edited so as not to reveal the third party's identity, or it may be possible to obtain the third party's consent to disclosure.

Staff should be able to justify why any information that has been removed or edited from a file before passing it to the client, staff member or volunteer.

Staff and volunteers have the right to comment on the information held on file. If there is a disagreement this should be noted on the file. If the information is factually incorrect it can be altered, with any alteration noted and signed by the individual.

Requests for information by external organisations

In general, information about an individual is not given to a third party. Staff should NEVER give out phone numbers or email or postal addresses of individuals. If there is a request for information it is important to find out why the information is required. In such a situation details need to be taken and passed on to the individual concerned.

All staff need to be aware of the potential misuse of personal data, especially people who are more vulnerable to exploitation.

Information will be passed on with the consent of an individual when required by a potential employer.

Attending meetings where confidential information is discussed

HWC Board Members, volunteers and staff may attend meetings where confidential information is discussed. Anyone working for HWC, whether in a paid or unpaid capacity, will respect the bounds of confidentiality of that meeting, whether this be regarding an individual, commissioning or services.

When confidentiality cannot be guaranteed

The appropriate safeguarding body will be informed if it is believed that a child or a vulnerable person may be at risk. Refer to HWC Safeguarding Policies for detail of procedures and principles.

We will co-operate with other agencies in the event of an investigation into suspected abuse.

The police will be informed if there is a crime or a serious incident such as actual or threatened violence or substance abuse.

Emergency services will be informed in the event of a serious injury or illness. Information should only be given in the best interest of the parties involved.

Before any breach of confidentiality, staff should always try to discuss the issue with the individual.

Breaches of confidentiality

Breaches often occur as a result of thoughtlessness and lack of awareness of the potential consequences of inappropriate disclosure. The effects, whether intentional or accidental, are the same.

All breaches will be taken seriously and are potentially a disciplinary issue.

Approved by Healthwatch Cambridgeshire Board of Directors

Date: January 2015

Reviewed

Date: January 2016

Next Review

Date: January 2017

Responsible Officer

Chief Executive Officer of Healthwatch Cambridgeshire