

Policy & Procedure:

Confidentiality

Introduction

This policy outlines our commitment to protecting the confidentiality of service user information within our organisation. We recognise the importance of safeguarding sensitive information and ensuring service user privacy in accordance with relevant legislation and ethical principles.

Definition of Confidential Information:

A duty of confidence arises when one person shares information with another in circumstances where it is reasonable to expect that the information will be held in confidence.

The Data Protection Act (2018) classifies “Personal” and “Special Category” information as follows:

Personal - includes information relating to persons who:

- can be identified or who are identifiable, directly from the information in question; or
- who can be indirectly identified from that information in combination with other information.

Special Category - information which is:

- personal data revealing racial or ethnic origin;
- personal data revealing political opinions;
- personal data revealing religious or philosophical beliefs;
- personal data revealing trade union membership;
- genetic data;
- biometric data (where used for identification purposes);
- data concerning health;
- data concerning a person's sex life; and
- data concerning a person's sexual orientation.

Legal and Ethical Principles

Our commitment to confidentiality is underpinned by the following:

Data Protection Act 2018: This legislation governs the processing of personal data, including patient information. We are required to process data lawfully, fairly, and transparently.

UK General Data Protection Regulation (UK-GDPR): The GDPR complements the Data Protection Act and sets out specific requirements for handling personal data.

Human Rights Act 1998: This act protects the right to privacy, including the right to confidentiality of personal information.

Caldicott Principles: These principles provide guidance on the safe and ethical handling of patient information.

Our Responsibilities

We are committed to upholding the highest standards of confidentiality. This includes:

- **Confidentiality as Default** - We treat all patient information as confidential unless there is a lawful basis for disclosure.
- **Access on a Need-to-Know Basis** - Access to patient information is restricted to authorised personnel who require it to deliver care or perform their designated role.
- **Data Security Measures** - We implement robust data security measures to protect information from unauthorised access, disclosure, loss, or alteration. This includes secure storage, password protection, and staff training on data security best practices.

Consent for Disclosure: We will only disclose patient information with the patient's explicit consent, except in specific circumstances permitted by law, such as:

- Public health emergencies.
- Legal proceedings.
- Safeguarding vulnerable individuals.

Record Keeping: We maintain accurate and up-to-date records of all disclosures of patient information.

Duties

Senior Information Risk Owner (SIRO)

The Company's SIRO holds executive responsibility for adherence and compliance with confidentiality and data protection standards. The role of SIRO within the company is undertaken by the Chief Executive.

Information Governance Manager

The SIRO responsibility for adherence and compliance with confidentiality and data protection is supported on an operational level by the Information Governance Manager. the role of Information Governance Manager within the company is undertaken by the Practice Manager.

Patient Rights

Service users have the right to:

- Access their medical records.
- Understand how their information is used.
- Request information to be corrected if inaccurate.
- Object to the processing of their information in certain circumstances.

We are committed to providing service users with clear information about their rights and how to exercise them.

Communication

We are committed to communicating openly and honestly with service users about their information. We will provide clear explanations regarding how their information will be used and with whom it may be shared.

Reporting Concerns

We encourage individuals to report any concerns regarding the confidentiality of patient information.

Consequences of Breach

Any breach of confidentiality will be taken seriously. We will investigate breaches and take appropriate action to rectify issues.

Continuous Improvement

We will regularly review and update this policy to ensure it reflects best practice and complies with evolving legal and regulatory requirements.