



## Service User Confidentiality Policy

### 1 Definitions

- 1.1 Confidentiality** is the protection of private and personal information about a service user that is disclosed to anyone acting on behalf of EnhanceAble
- 1.2 A Donor** is the person who giving the confidential information. This could be either the service user him or herself, or someone else giving information about the service user.

### 2 Principles

- 2.1** Confidentiality assumes mutual trust but does **not** mean that the information is shared only between the donor and **one** member of staff, for example. The information is confidential to **EnhanceAble** and any other professional Agencies on a strict need to know basis.
- 2.2** Observing confidentiality not only means that confidential information may not specifically be disclosed except as described below, but that circumstances affecting service users (even if their names are not disclosed) may not be discussed with anyone, except in a professional capacity. Service users, or their details, must not be discussed with families or friends without the service user's agreement. Details should never be discussed with the general public or in any public place.
- 2.3** Information obtained for one purpose must not be used for another, without the service user's consent, except as outlined below.
- 2.4** The donor's right to confidentiality is not absolute and may be overridden where there is evidence that keeping confidence could: -
- (a) Endanger the service users' own life, and or
  - (b) Seriously endanger other persons, and or
  - (c) Seriously endanger the community, and or
  - (d) Cause a serious threat to the person or the worker  
or where there is a: -
  - (e) Serious infringement of the law, or
  - (f) Legal obligation exists to supply certain information

- 2.5 A decision to breach confidence must remain strictly limited to the needs of the situation at that time, and be recorded.
- 2.6 Service users will be advised of any contacts/discussions with other agencies; staff should always consider the situation very carefully where other agencies ask that information should **not** be shared with service users; this should only happen where the service user, or another person, would be at risk if the information were to be shared.
- 2.7 Relevant confidential information must be shared with colleagues at all levels where it is necessary to enable an effective service to be provided. This may include discussions in a staff meeting or training environment. In such cases the discussion should not “leave the room”.
- 2.8 In sharing confidential information, all concerned take responsibility for preserving confidentiality. The information is no less confidential because it has been shared.

### **3 Receiving Confidential Information**

- 3.1 Staff have a responsibility to recognise the degree of confidentiality of the information and to ensure that EnhanceAble’s policy and practice are followed in order to preserve confidentiality
- 3.2 The Key worker has responsibility for ensuring that the service user is aware of EnhanceAble’s practice concerning confidentiality.

### **4 Using the information and access to files**

- 4.1 EnhanceAble have robust policies and procedures relating to Data Protection and handling information. A form is in place for each service user which indicates where consent has been given to share personal data with outside agencies.
- 4.2 Staff have responsibility for informing donors of the need to share the information selectively with other members of EnhanceAble staff or, on occasion, officers of the Group.
- 4.3 Staff also have the responsibility of explaining to the donor the reason for obtaining the information and how it will be used.

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