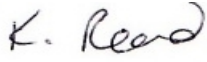


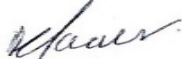



Support Training Advice Guidances Educational Services Ltd

Registered Charity No: 1162303

Confidentiality Policy

Reviewed 5th July 2015

Director / Chairperson	Kathleen Read	
Director / Treasurer	Julia Reah	
Director / Company Secretary	Jamie Webster	
Trustee	Kelly Farrar	
Trustee	Sophie Dunn	

STAGES Confidentiality Policy

Support Training Advice Guidance Educational Services LTD herein known as STAGES Confidentiality Policy recognises that it's service users have a right to have information about them kept confidential, and that this is essential for maintaining their trust in the agency and hence essential for running the service.

1. Responsibilities of employees/volunteers

To follow the policy stated in this document is:

- a condition of employment in the agency and breaches of it may lead to dismissal
- a condition of being a volunteer in this agency and breaches of it may lead to a volunteer being asked to leave.

These responsibilities persist even after a person has ceased to be an employee/volunteer with the agency.

2. Scope of the policy

- In this policy 'a service user' is defined as anyone who approaches the agency for information, advice or any other service, whether as a user of drugs or alcohol, or as someone concerned about another's drug or alcohol use.
- The policy is binding on paid employees and volunteers including members of the management committee.

3. Information obtained other than through work in the agency

- i. Confidential information obtained about service users by employees/volunteers in a capacity other than as an employee/volunteer with the agency (for example, by gossip or through work in another agency or about one client from another) should not enter the agency's information system, unless non-disclosure would pose a serious risk to health and safety.
- ii. Information gained by gossip, hearsay, or by breach of confidentiality elsewhere should still be treated as confidential information. (See clauses 4 and 5.)

4. Information obtained through the work of the agency

Information obtained about a client through the work of the agency may be shared among employees/volunteers in the agency on a need-to-know basis and will only be disclosed outside the agency according to the conditions in clause 5.

Transfers of information beyond the agency

5. Conditions of transfer of information beyond the agency

Information about clients will be transferred to people outside the agency only under the circumstances listed below. 'People' here includes other agencies, relatives and friends of the client, and relatives and friends of employees/volunteers.

5a With the service user's explicit consent

- i. Explicit consent should normally be given through the service user signing a consent form. When it is necessary to act on a service user's verbal consent (perhaps given by telephone) this should be followed up by the service user signing a consent form as soon as possible thereafter.
- ii. All reasonable efforts should be made to ensure that any information released is of the kind a service user understands they have given consent for.

5b Without the client's explicit consent

Information should be transferred beyond the agency without the service user's explicit consent only in the following circumstances:

- i. when disclosure is required by a warrant or a court order; and/or

- ii. when non-disclosure would pose a serious risk to:
 - o the welfare of a child
 - o the safety of an employee, a volunteer, another client, or some other person; and/or
- iii. where the client is not in a position to give consent. If neither (i) nor (ii) above apply, then information may be released on an estimation of the client's best interests alone.
(See clauses 6 and 7.)

6. Informing client about release of information without consent

Before information is released without consent, the issue should be raised with the service user, unless:

- i. this is prevented by the execution of a warrant or court order, and/or
- ii. forewarning the service user would pose risks to the safety of employees/volunteers or some other person; and/or
- iii. circumstances prevent the service user being asked for or being able to give consent.

On discussion, the service user may decide to consent or to disclose the information themselves, thus avoiding problems of confidentiality for the agency.
(See clauses 7 and 8.)

7. Authorisation of transfers of information without consent

A decision to transfer information without the client's consent should be exceptional, and should be taken only following discussion with the Director of NIAS. All such transfers should be recorded and reported to the NIAS management committee.

8. Accuracy of transferred information

When transferring information, with or without the client's consent, care should be taken to ensure that it is accurate and/or the status of the information is indicated. For example, the time period to which the information refers should be indicated, opinions should be identified as opinions, and the person holding the opinions should be identified.

All reasonable efforts should be made to check the accuracy of the information with the client or other source concerned.

9. Safe transfer of information

When transferring information *with or without the service user's consent*:

- i. the credentials of those who will receive the information should be verified if there is any doubt about them
- ii. the use to which the information will be put should be discovered as far as is possible
- iii. the employee/volunteer should assure themselves that the person to whom the information is transferred can be trusted not to misuse it
- iv. where confidential information is transferred by post it should be clearly addressed to the person who has a right to receive it, and marked 'confidential'; and where by phone, it should be given only to the person authorised to receive it
- v. fax and e-mail should not be used for transferring confidential information. Information should be transferred only on a 'right-to-know' and a 'need-to-know' basis.

10. Confidentiality of third parties

When disclosing information about one service user, due regard should be given to protecting the confidentiality of information about other service users.

11. Recording transfers of information

- i. When information is transferred with or without the client's consent, this fact must be recorded showing, as appropriate:
 - o the extent of the disclosure
 - o to whom it was made and when
 - o the reasons for the disclosure
 - o who was consulted beforehand
 - o whether the client was informed and when and how this was done.
- ii. In the event of transfers with consent, this information will appear on the consent form.
- iii. Copies of any information transferred will also serve as a record.

12. Death of client

In the event of a service user's death, no information will be released about him/her unless covered by clauses 5a or b and/or unless:

- i. disclosure will correct damaging misinformation held about the service user by others, and/or
- ii. non-disclosure will contribute to a miscarriage of justice.

Clause 7 applies to all such situations.

Management of information within STAGES

13. Identification of clients in recorded information

- i. Recorded information which identifies service user will be secured in the lockable filing cabinets.
- ii. Any information on computers which identifies service user by name will be password-protected.
- iii. Information which identifies service user will not be left unsecured, lying around in the agency.

14. Transfer of recorded information

No recorded information which identifies service users should ever leave the premises of STAGES unless:

- i. it is being transferred according to the conditions in clauses 5a or 5b and under the terms of clauses 6, 8 and 9 as appropriately applied, and/or
- ii. the front sheet identifying the service user is removed from the file whenever case file need to be taken to a service user's home, a case conference or some other necessary place.

15. Discussion of clients between staff of STAGES

- i. Discussions among employees/volunteers concerning service users should be purposeful and should not take the form of gossip.
- ii. Only rarely will the management committee have need to know the name of a particular service user. For discussions at management committee meetings the anonymity of clients should be maintained unless the discussion concerns:
 - oa formal complaint by the service user (see STAGES Complaints Procedure)
 - othe exclusion of the service user from the agency (see STAGES policy on conditions for service users using the agency)
 - oa matter where the identity of the service user and the relevant issue have entered the public domain.

Even in the circumstances noted above the management committee should consider whether affairs can be dealt with without identifying the service user.

16. Discussion of clients with others

- i. The affairs of a service user should never be discussed in the hearing of other service users, unless this is satisfactory to the service user concerned, nor in the hearing of any visitor who does not have a right to receive such information.
- ii. Should members of the agency notice each other, or service users, disclosing confidential information about others in this way, they should draw attention to what is happening.

17. Extent of recorded information

To reduce the possibilities for breaches of confidentiality, information which is recorded and is attributable to an individual should be:

- i. the minimum consistent with the work of the agency, and
- ii. in the employee's/volunteer's opinion not of a kind which might cause harm or embarrassment to the service user concerned, or to another service user unless required by the agency, and
- iii. be agreed with the service user, except for:
 - o matters concerning behaviour on the premises which breaches the conditions for service user using the agency (see STAGES policy on conditions for service users using the agency), and/or
 - o matters which if not recorded might pose a threat to health or safety (see clause 5b (ii)).

18. Retention of records

Records attributable to individuals will be retained for a period of three years after the last contact with the service user. After this they will be destroyed. Only on very rare occasions will information be disclosed from the records of a service user who has ceased to have contact with the agency.

Clause 7 applies. (See also clause 13.)

Rights of service users

19. Informing service users of policy and rights

All service users must be informed of this confidentiality policy, and efforts should be made to establish that they understand it. When service users are informed about the policy, they should also be informed of their rights to complain should they believe their confidentiality has been breached.

(See STAGES Complaints Procedures.)

20. Service user's rights of access to information

No information which is recorded about a service user will be confidential from that service user, and all service users have a right to see any information recorded about them unless such information compromises the confidentiality of a third party, the third party not being an employee or volunteer in the agency.