

**CONFIDENTIALITY POLICY**

Last Up-dated Dec16

*This Policy will define the philosophy controlling issues of Service User Confidentiality within the Organisation:*

1. In the course of their duties staff of Peak Home Care will be privy to confidential information concerning service users' private affairs:
  - 1.1 It is a condition of employment within Peak Home Care that such information shall not be disclosed to any unauthorised third party without the express consent of the service user, or if the service user is unable to judge, the service user's immediate family or advocate.
  - 1.2 Confidential information will not be sought from a service user unless expressly in the interests of that service user, i.e. to enable a better Care package to be developed.
  - 1.3 The service user shall be kept informed at all times of the outcome of confidential discussions by the Care Staff concerning them.
  - 1.4 Per the requirements of the Policy on Data Protection (*Policy No 112*), administrative staff involved in the processing of service users' personal data will take all reasonable precautions to prevent sighting of data by unauthorised persons:
    - record files are locked away when not in use;
    - where practical, computer VDU screens should be tilted towards the user and away from the general office environment;
    - VDUs are not left on when not in use.
  - 1.5 It is the Policy at Peak Home Care that the service user has the right of access to their personal records at any time, in accordance with *Policy No 133*.
  - 1.6 Care Staff will always consult their immediate supervisor or manager if they are unclear with respect to any item concerning confidentiality, or when made privy to confidential information that may have legal and / or criminal connotations (e.g. if a service user confides that they have allegedly been submitted to sexual abuse by a staff member).
2. Notwithstanding these factors there may be occasions when this Confidentiality Policy may be breached. This will always ONLY be done with the service user's best interests in mind, and will focus upon the following circumstances:
  - 2.1 Where information provided by the service user needs to be shared with management of the Organisation, and with other named Social Care agencies, for the express purpose of developing an appropriate Care Plan for that service user.
  - 2.2 Where the service user has particularly requested certain information to be divulged to a third party. *In such cases appropriate notes MUST be made in the service user's Care Records, together with a signed record of authorisation from the service user or his / her advocate.*
3. Any breaches of this Policy will be dealt with under the Organisation's Disciplinary Procedure. Deliberate or malicious breaching of this Confidentiality Policy will be construed as an act of Gross Misconduct leading to summary dismissal of the offender.