

# POLICY AND PROCEDURE



Solihull  
Life  
Opportunities

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Charity no: 1102297  
Company no: 5025939

## Confidentiality

Category: Service Users

## Introduction

The purpose and objectives of a Confidentiality policy is to ensure that any information disclosed by a service user or their parents/carers to a member of staff or volunteer of Solihull Life Opportunities (SoLO) is kept securely and access to it is carefully controlled and in line with the Data Protection Act

## Policy Statement

Solihull Life Opportunities is committed to providing a confidential service to its service users and their parents/carers and therefore promotes the Principles of Confidentiality throughout the organisation and aims to integrate confidentiality in all aspects of its services and management.

Service Users and their parents and carers have a right to:

- be treated with dignity
- respect for their privacy
- decide how information about themselves should be shared with others

Confidentiality is between the individual and the organisation not between the individual and the advisor. This means that information will be treated in the utmost confidence and will not be divulged to anyone outside the organisation except where extenuating circumstances exist (see below in section on sharing information). However, in order that we can provide the best possible help to our service users it may be necessary to share information with a Project Leader or co-worker within SoLO (this will always be shared on a 'need to know' basis).

## Procedures

### Best Practice

Information about a service user should be gathered and shared on a 'needs to know' basis. Information about the health and safety of the service user

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should be disclosed in connection with the purpose of health & social welfare to those who would be unable to provide effective treatment/care without that information.

**Loose talk** – Avoid holding conversations in Open/Communal areas that refer to service users. This applies whether or not names are used. Always hold the service users integrity in high regard.

**Written Information** – Ensure written notes are respectful and remember service users or their carers have a right to read what is written. Whilst in use, ensure that written material is not left in a place where it could be read by others. SoLO's Data Protection policy and procedures should be followed in respect of all forms of written information.

**Use of personal contact information** - In addition to this all staff/volunteers are responsible for checking if it is acceptable to telephone or write to the service user or their parent/carer at home or work in relation to their case.

### **Sharing Information with others**

Information will not be shared with other organisations or individuals without the service user or their parents/ carers (where appropriate) express permission, unless the information shared identifies any of the following;

- A risk of significant harm to any individual
- Where the safety and welfare of a vulnerable adult or child is in question.
- An Act of Terrorism
- Proceeds of Crime Act (Money Laundering or Benefit Fraud)

In these cases the protection of others takes precedence over the requirement for Confidentiality.

### **Expressed Consent**

It is the responsibility of staff/volunteers to ensure that where action is agreed to be taken by the organisation on behalf of a service user, the service user or their parent/carer must firstly give their consent, which should be recorded in the service user's case records.

### **Rules of Disclosure**

1. Make notes of events/discussions that took place as soon as possible after the time the information was shared.
2. Raise matter immediately with a Project Leader/Project Manager or CEO
3. CEO should take written notes of any discussion taken place

4. CEO to make a decision on whether or not to contact social services and work within the Child Protection and Vulnerable Adults policies.
5. CEO to brief the Chair (or designated trustee responsible for safeguarding) on situation, taking care not to breach confidentiality. Ensure there is no discussion with other members of the board who may have to resolve any future complaint about action taken.

## **Data Analysis**

Data will be collected to assist in planning, marketing and supervision. Data collected will have the sole purpose of enabling us to evaluate and monitor the service we are offering and will not contain personal information, unless required to ensure the safe support of a member.

In some instances, SoLO may wish to make information available to public bodies and the media about the kind of enquiries we are taking and the services we offer. In these cases personal information will only be used with the consent of the individuals concerned.

## **Effectiveness**

All Board members will receive a copy of the Confidentiality Policy. Existing and new members of staff and volunteers will be introduced to the Confidentiality Policy via Induction and training. Training on this policy should be in conjunction with training on the Data Protection Policy and any Information Sharing Agreements in place. The policy will be reviewed every three years. Amendments should be proposed by the CEO and agreed by the Board.

## **Additional Information**

This policy was developed using internet resources and MENCAP model policy. It is very closely related to the Data Protection Policy.

### **Linked to:**

- Data Protection Policy
- Information Sharing Agreement
- Child Protection and Vulnerable Adults Policies