

## **CONFIDENTIALITY POLICY**

### **A.The Duty of Confidence**

All Agency Workers have a duty of confidence to patients and a duty to support professional ethical standards of confidentiality.

The duty of confidence is conferred by common law, statute, contract of employment, disciplinary codes and policies (of which this is one) and professional registration.

### **B.Confidential Information**

Confidential information is information entrusted by an individual in confidence, where there is a general obligation not to disclose that information without consent.

Confidential information may include personal information such as name, age, address, and personal circumstances, as well as sensitive personal information regarding race, health, sexuality etc.

Confidential information may be known, or stored on any medium. Photographs, videos, etc are subject to the same requirements as information stored in health records, on a computer, or given verbally.

Information that identifies individuals personally is assumed to be confidential, and should not be used unless absolutely necessary. Whenever possible, anonymised data – from which personal details have been removed and which therefore cannot identify the individual–should be used instead. Note however that even anonymised information can only be used for justified purposes.

### **C.Awareness and compliance**

1. All Agency Workers need to be aware of their responsibilities for safeguarding patient confidentiality and keeping information secure.

2. Staff must comply with the requirements of the Caldicott Report and the Data Protection Act 1998.

3.Breaches of confidentiality are a serious matter. Non-compliance with this policy and code of conduct by any person employed by Trueblue Nurses may result in disciplinary action being taken. No Agency Worker shall knowingly misuse any information or allow others to do so.

4. This policy and accompanying guidelines and code of conduct are intended as an overview of the issues that you need to be aware of when dealing with patient information. If you have further questions you should seek advice from Trueblue Nurses.

## **The 6 Caldicott Principles**

### **Principle 1 – Justify the purpose**

Every proposed use or transfer of patient-identifiable information within or from an organisation should be clearly defined and scrutinised with continuing uses regularly reviewed by an appropriate guardian.

### **Principle 2 – Don't use patient-identifiable information unless it is absolutely necessary.**

Patient-identifiable information items should not be used unless there is no alternative.

### **Principle 3 – Use the minimum necessary patient-identifiable information.**

Where use of patient-identifiable information is considered to be essential, each individual item of information should be justified with the aim of reducing identifiability.

### **Principle 4 – Access to patient-identifiable information should be on a strict need to know basis.**

Only those individuals who need access to patient-identifiable information should have access to it, and they should only have access to the information items that they need to see.

### **Principle 5 – Everyone should be aware of their responsibilities**

Action should be taken to ensure that those handling patient-identifiable information – both clinical and non-clinical staff – are aware of their responsibilities and obligations to respect patient confidentiality.

### **Principle 6 – Understand and comply with the law**

Every use of patient-identifiable information must be lawful. Someone in each organisation should be responsible for ensuring that the organisation complies with legal requirements.

Source : Protecting and using patient information, A Manual for Caldicott Guardians

