

## CONFIDENTIALITY POLICY

### Statement of Policy

Hunts Mind's policy is based on the principles that:

- Every individual involved with the organisation has the right to confidentiality and respect at all times.
- In the course of its work Hunts Mind will, from time to time, be in possession of confidential information about individuals involved with the organisation and will do its utmost to protect that confidentiality. Any information obtained about individuals, which could reasonably be expected to be confidential, will be stored securely and only used for the purpose for which it was intended.
- Hunts Mind may be required to share confidential information with others for the purpose of providing an effective service to the individual, or for the purposes of ensuring public or personal safety (please refer to Vulnerable Adults Policy and Child Protection Policy). In all cases, Hunts Mind will endeavour to obtain the individual's permission before sharing confidential information with others.
- Individuals should have open access to information held about them.
- Information will be regarded as having been given in confidence to Hunts Mind as an organisation rather than to specific individuals or staff members.

### Context

This policy relates to all individuals who are involved in the receipt or delivery of services provided by Hunts Mind. This includes service users, staff, sessional workers, volunteers and trustees.

It is governed by all relevant national legislation, guidance, policy and procedures eg The Data Protection Act (1998) The Children's Act (2000), The Human Rights Act (1998) Rehabilitation of Offenders Act, The Policy and Criminal Evidence Act (1994) and The Freedom of Information Act. It is also cross-referenced to other Hunts Mind policies and local Mental Health Partnership Trust Care Programmes and related risk assessment procedures.

### Implementation

In order to implement this policy, Hunts Mind undertakes to put procedures in place that will:

- Ensure that each of the different parts of the service, eg the office, the Drop-ins, Evening Groups, Day Services etc, has specific written procedures to ensure confidential practice is upheld within that area

- Ensure that all confidential information is held/stored securely.
- Ensure that all obsolete or irrelevant material is disposed of in an appropriate and secure way.
- Endeavour to gain the individual's permission before disclosing information about them to third parties wherever practicable.
- Ensure that information is only exchanged with other agencies directly involved with an individual in the planning of their care, or service provision.
- Comply with legislation that relates to the security and disclosure of information. There may be times when it is considered that there is significant risk posed to the individual concerned or to others and that disclosure without permission is necessary. In this case information may need to be shared with those agencies, Health, Social Services or the Police whose duty it is to ensure personal and public safety.
- Wherever possible breaches of confidentiality concerning service users will be agreed and documented through the line management structure before action is taken. The Chief Executive's decision is final. There will be no right of appeal by any staff member.
- Service users can lodge a complaint through Hunts Mind's Independent Complaints procedure. Staff may use the Grievance Procedure. The Chief Executive is in turn answerable to the Executive Committee for his/her decision.
- Establish a logbook of "Significant Interactions". This will constitute a record of verbal recommendations that staff have made during the course of their work with individuals in order to establish that they have tried to avert a potentially unlawful or unethical situation.

## **Ensuring the Effectiveness of this Policy**

Hunts Mind seeks to develop and comply with nationally and locally accepted good practice and quality assurance standards; it will do this by ensuring that new service users, staff members, sessional workers, volunteers and trustees are made aware of the confidentiality policy and all related procedures at the earliest opportunity. They will sign to indicate that they have read them, that they understand them and undertake to abide by their provision.

Hunts Mind will also:

- Develop and maintain protocols for sharing information with partnership organisations, such as social service reviews and CPA's (Care Programme Approach).
- Provide regular training for staff, to ensure that any new legislation or procedures are incorporated into practice.
- Provide regular supervision for staff and volunteers to facilitate discussion around specific boundaries and the use of appropriate



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channels for communication of information. To ensure support systems are in place.

- Liaise with service users to ensure that their perception on confidentiality is taken into consideration in policy review and formulation.
- To review this policy annually or in line with major legislative changes.

It may be necessary to formulate other separate confidentiality statements that are relevant to specific circumstances within Hunts Mind's overall provision these will be appended to the existing policy document. Appendices or amendments will be proposed and agreed by the Board of Trustees before being adopted.

## Hunts Mind Confidentiality Policy

**Date policy ratified by Executive Committee: December 2009**

**Signed by Sharon Cox (Chair)**

A handwritten signature in blue ink, appearing to read 'S Cox', written in a cursive style.

**Date of Review: December 2011**