



# **Confidentiality policy**

Revised March 2013

## Confidentiality

Care home name: The Wellbeing Residential Group

### The Wellbeing Residential Group Policy on Confidentiality

The Wellbeing Residential Group believes that it has a duty of confidentiality to its service users. The Wellbeing Residential Group regards this as being of the utmost importance and a key part in building a trusting, caring environment where service users can live safe in the knowledge that their confidences will be kept and where information about them will be protected safely. It is the Wellbeing Group policy that all the information we receive about or from service users is confidential and that only those people who need to know the information will have access to it. The Wellbeing Group seeks to always ask permission before we share information service users have given us with anyone else.

The Wellbeing Group fully adheres to the new outcomes essential standards of quality and safety which consist of 28 regulations and its associated outcomes. They are set out by the Health and Social Care Act 2008 for regulated activities.

### Procedures

Staff should:

- ensure that all files or written information of a confidential nature are stored in a secure manner in a locked filing cabinet and are only accessed by staff who have a need and a right to access them
- wherever practical or reasonable fill in all care records and service users' notes in the presence of and with the co-operation of the resident concerned
- Ensure that all care records and service users' notes, including care plans, are signed and dated.

Rare situations may arise which give rise to exceptions to this duty where confidential information may relate to harm to other service users or harm to the person sharing the confidence. In such circumstances the Wellbeing Residential Group reserves the right for staff to break their duty of confidentiality and to take the information to a senior member of staff. In such rare circumstances:

- the relevant service user will be informed of the Wellbeing Residential Group's position and full details will be discussed with the service user
- appropriate notes will be made in the service user plan and these notes will be open to inspection by the service user
- the information will only be given to those who absolutely need to know and wider issues of confidentiality of that information will still apply
- The service user will be free to make a complaint through the Wellbeing Residential Group's complaints procedure.

## Initial Assessment Policy

New service users and prospective service users should be shown a copy of this confidentiality policy on initial assessment. Every effort should be made by staff to ensure that service users fully understand the implications of that policy. The member of staff performing the assessment should ensure that the new service user understands and has read the following statement.

To help us make an assessment of your needs, we will need to ask you for personal information about your circumstances and to record this information. We will not share this information with anyone without your agreement and it will be kept in a confidential file which will be kept in a locked filing cabinet. Only Wellbeing Residential Group staff with permission to see the file will be able to access it. Wellbeing Residential Group staff will record in the file on daily basis information relevant to your care in the Wellbeing Residential Group home and will pass on information relevant to your day-to-day care to your key worker or to whoever is in charge of each shift. You may have access to your notes at any time to see what is actually being recorded. It is the Wellbeing Residential Group's policy that all the information we receive about or from service users is confidential and that only those people who need to know the information will have access to it. The Wellbeing Group will always ask your permission before we share information service users have given us with anyone else. In certain circumstances, however, we may need to share information in your best interests and reserve the right to do so.

### Requests for Information

The Wellbeing Residential Group will not provide information to relatives, spouses, friends or advocates without the consent of the individual resident concerned. All enquiries for information, even if they are from close relatives, should be referred back to the service user or the service user's permission sought before disclosure.

The Wellbeing Residential Group is also often asked for reports by insurance companies, solicitors, employers, etc. Before providing these reports we shall require written consent from the resident concerned and will never divulge information without consent unless obliged to by law.

### Record Keeping

We keep files on all our service users but only keep relevant information to ensure that the care we offer as an organisation is of the highest quality. The files are only available to staff who need to use them. We keep very personal letters or notes in a secure place.

The Wellbeing Residential Group believes the following.

- Records required for the protection of service users and for the effective and efficient running of the Wellbeing Residential Group are maintained, are up to date and are accurate.
- Service users have access to their records and information about them held by the Wellbeing Residential Group, as well as opportunities to help maintain their personal records.
- Individual records and home records are kept in a secure fashion, are up to date and in good order; and are constructed, maintained and used in accordance with the Data Protection Act 1998 and other statutory requirements.

The Wellbeing Residential Group believes that access to information and security and privacy of data is an absolute right of every service user and that service users are entitled to see a copy of all personal information held about them and to correct any error or omission in it.

Under the Data Protection Act 1998 the Wellbeing Residential Group should have a nominated data user/data controller.

The data user/data controller for the Wellbeing Residential Group is Keith Pang

## Training

All new staff should be encouraged to read the policies on data protection and on confidentiality as part of their induction process. Existing staff will be offered training to National Training Organisation standards covering basic information about confidentiality, data protection and access to records. Training in the correct method for entering information in service users records should be given to all care staff. The nominated data user/data controller for the home should be trained appropriately in the Data Protection Act 1998. All staff that needs to use the computer system should be thoroughly trained in its use.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Policy review date: \_\_\_\_\_

## Record Keeping

Care home name: The Wellbeing Residential Group

## Policy Statement

The Wellbeing Residential Group believes in the following.

1. Records required for the protection of service users and for the effective and efficient running of the Wellbeing Residential Group homes are maintained, are up to date and are accurate.
2. Service users have access to their records and information about them held by the Wellbeing Residential Group, as well as opportunities to help maintain their personal records.
3. Individual records and home records are kept in a secure fashion, are up to date and in good order; and are constructed, maintained and used in accordance with the Data Protection Act 1998 and other statutory requirements.

The Wellbeing Residential Group adheres fully to Standard 37: Record Keeping of the National Minimum Standards for Care Homes for Older People.

## Aim of the Policy

This Policy is intended to set out the values, principles and policies underpinning the Wellbeing Residential Group's approach to record keeping, data protection and access to records.

## Data Protection Policy

The Wellbeing Residential Group should be registered under the Data Protection Act 1998 and all storage and processing of personal data held in manual records and on computers in the Wellbeing Residential Group should comply with the regulations of the act. The Wellbeing Residential Group understands that, according to the Data Protection Act 1998, personal data should:

1. Be obtained fairly and lawfully.
2. Be held for specified and lawful purposes.
3. Be processed in accordance with the person's rights under the DPA.
4. Be adequate, relevant and not excessive in relation to that purpose.
5. Be kept accurate and up to date.
6. Not be kept for longer than is necessary for its given purpose.
7. Be subject to appropriate safeguards against unauthorised use, loss or damage.
8. Be transferred outside the European Economic Area only if the recipient country has adequate data protection.

The Data user/Data controller for the Wellbeing Residential Group is the Home Manager.

#### Access to Records Policy

The Wellbeing Residential Group believes that access to information and security and privacy of data is an absolute right of every service user and that service users are entitled to see a copy of all personal information held about them and to correct any error or omission in it.

#### Procedures

Staff should do the following.

1. Ensure that all files or written information of a confidential nature are stored in a secure manner in a locked filing cabinet and are only accessed by staff that have a need and a right to access them.
2. Ensure that all files or written information of a confidential nature are not left out where they can be read by unauthorised staff or others.
3. Wherever practical or reasonable fill in all care records and residents notes in the presence of and with the co-operation of the resident concerned.
4. Ensure that all care records and residents' notes, including care plans, are signed and dated.
5. Check regularly on the accuracy of data being entered into computers.
6. Always use the passwords provided to access the computer system and not abuse them by passing them on to people who should not have them.
7. Use computer screen blanking to ensure that personal data is not left on screen when not in use.

#### Training

All new staff should be encouraged to read the policies on data protection and on confidentiality as part of their induction process. Existing staff will be offered training to National Training Organisation standards covering basic information about confidentiality, data protection and access to records. Training in the correct method for entering information in service users' records should be given to all care staff. The nominated data user/data controller for the Wellbeing Residential Group should be trained appropriately in the Data Protection Act 1998. All staff that needs to use the computer system should be thoroughly trained in its use.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Policy review date: \_\_\_\_\_