



Cork Centre for Independent Living Limited

Policy & Procedure Privacy & Confidentiality

Master/Policy/



Privacy and Confidentiality Guidelines

Purpose

The purpose of this policy is to provide guidance to all staff and volunteers regarding privacy and confidentiality. It also describes for Service Users the Cork Centre for Independent Living [Cork CIL] approach to confidentiality and privacy and what to expect from Cork CIL the organisation.

Scope

This policy applies to All staff, volunteers [including the members of the voluntary Board of Management], contractors and sub-contractors.

Overview

Ensuring confidentiality is maintained between the Service User and the service provider, all its staff and authorised volunteers and keeping confidence between Cork CIL and its employees and volunteers is an important part of good care practice and sound organisation governance.

Cork CIL provides a range of services and supports. Staff need to develop meaningful professional relationships with Service User and Colleagues. The information shared directly or indirectly by Service Users and Staff and information collected and collated to provide the service and to execute our responsibilities as a Service provider and company will mean that we are party to information which may be personal, sensitive or commercially sensitive in nature. Cork CIL will manage all information in line with prevailing best practice. The organisation has explained its approach in a suite of Policies. These will be regularly reviewed and updated.

Confidentiality

Confidentiality means not telling anyone, other than those who should or need to know, what an individual has said to the staff member or the issues that they have. It is also important not to show anyone (other than those who should or need to know) an individual's personal notes, personnel records or computer records.

In health and social care there is no absolute confidentiality as a health or social care practitioner may have to discuss an individual with another practitioner. They may need advice or to refer them on to another service. A health or social care worker may have to break confidentiality if the individual is going to harm themselves or others or if they are going to commit a criminal offence. Such information should be passed on to the person responsible in the service setting and care taken not to discuss with colleagues or others who do not need to know.

Information from staff and issues regarding staff are also subject to same principle of confidentiality.



Service Users who are accessing the service and Staff who are employed by Cork CIL need to be able to trust Cork CIL and its' staff. If confidentiality is broken trust is lost and Service Users or Staff Member may not share important information with them in the future.

Context

Rights of the Individual

People have a right to be different and free from discrimination. They have a right to confidentiality, choice, dignity, effective communication and safety. All Cork CIL staff and volunteers need to help an individual maintain their entitlements of citizenship and promote the service user's independence and choice without interfering with other people's rights.

Choice

Cork CIL Staff must make sure individuals can make choices within reason. To decide about a choice the individual needs to be provided with sufficient information. Choices range from complex decisions, to decisions as to what clothes to wear or food to eat.

Dignity

Dignity is respecting an individual's uniqueness and their personal needs. Privacy is to respect the right to be alone, undisturbed and be free from intrusion or public attention. Dignity is about providing an individual with privacy and making sure the situation is not embarrassing. Staff must help individuals to maintain their self-respect and ensure privacy.

Culture and personal beliefs

Personal beliefs and identity enable an individual to achieve their physical, intellectual, emotional and social potential. Staff should be positive about an individual's life history, their family and friends. A Service User needs to be able to express their feelings and opinion and to be recognised as a person of worth.

It is important to understand the beliefs of other cultures and to make arrangements that do not discriminate due to cultural differences Care workers need to be sensitive to different cultural beliefs and adapt appropriately.

Effective communication

Good and effective communication depends on Staff sharing ideas, information and workloads. It is important that the Service Users can share their feelings and issues with staff. The relationship relies on a balance or respect between the staff and the Service User. When communicating with others it is important that the staff member is understood, and the individual also understood.



- **Verbal** communication is important as it shows that staff member is listening and is interested. These skills include: Open questions, closed questions, paraphrasing, summarising, clarifying.
- **Non-verbal** communication [body language.] These skills include: a smile, hand gestures, facial expression, sign language, listening.

Person Centred Services /Individual care

Person Centredness /Individual care is to be treated as an individual. Staff should:

- Consider each person separately
- Encourage autonomy i.e. allow the individual to be self-determining to make their own choices and decisions which improves the individual's self-worth
- Involve service users in the widest possible range of activities and make available a range of options

The service needs to be focussed on the individual and be specific to them. A Service Users needs are explored and discussed with then by a Cork CIL Co-ordinator and these discussions are informed by the assessment of other health professional including the PHN, community therapist and GP. Cork CIL cannot always respond to every need.

Professional Boundaries

Staff get to know Service Users they work with and have empathy with them. Their aim is to improve the quality of life for their Service User and they need to do this and maintain a professional relationship. This protects the Service User and the Staff Member from any misunderstandings.

Cork CIL codes of practice, policies and procedures are developed to support staff to work well and safely. Policies and procedures are not laws but may have been developed because of a law. Policies apply specifically to the service setting and inform staff how to approach certain tasks. Procedures are actions that must be followed in certain situations e.g. clocking in and out at the start and end of a session entering premises. We aim to make our policies and procedures dynamic, and review them to reflect changing needs, and for continuous improvement.

Confidentiality

All staff should ensure that

- Respect people's right to confidentiality
- Ensure people are informed about how and why information is shared by those who will be providing their services / care
- Give out information if they believe someone may be at risk of harm, in line with the law of the country in which they are practising



Consent:

All staff should ensure that

- They gain consent before any intervention can begin
- Respect and support the individual's right to accept or decline service or care
- Maintain an individual's right to be involved in decisions about their care
- Understand the limitation of confidentiality and always act in the best interest of the service user
- Can show they acted in the best interest of the individual in an emergency

Managing Professional Boundaries:

All staff should:

- Recognise and respect the contribution that people make to their own care and wellbeing
- Decide to meet people's language and communication needs
- Refuse any gifts, favours or hospitality that could be interpreted as trying to gain preferential treatment
- Do not invite or accept invitations from Service Users their carers and family to join social media networks or groups
- Actively maintain clear professional boundaries always with Service Users their carers and family.
- Do not undertake private arrangements with Service Users their carers and family
- Actively maintain clear sexual boundaries all the time with Service Users in their care, their carers and family.

Sharing Information

During the routine course of service planning and service delivery Cork CIL staff as with other health and social care staff **will** often need to share information about the individual wants or needs to optimise their service and experience of service. This will have discussed with and explained to service users in a way they can understand, for them to give consent.

Confidentiality Statement

All Cork CIL staff will be required to sign a confidentiality statement. This will be kept on file and will form part of the employee's terms and conditions. If staff have any difficulties or are requiring addition or specific support around confidentiality and their responsibilities, they should contact their line manager for advice.



CONFIDENTIALITY STATEMENT

The Use of Personal Information

The use of personal information or data about service users and staff is governed by Statute Law [The Data Protection Act, 1998 and 2003, Freedom of Information Act 1997 and 2003]. Confidentiality between a service provider and the receiver [Service User/ Leader/ patient] is protected by common law in Ireland; Professional Practice Standards and Cork CIL local policies, protocols and documentation e.g. Staff Handbook, Records Management Policy, Policy on Record Retention Periods, Consent to Policy, Local Administration Policies and local HR and Recruitment Policies.

Confidentiality Statement

Staff of Cork CIL (including BOM, employees, contractors and volunteers) shall not disclose any information collected from an individual to any other person, body or agency except for the purposes for which it was collected unless:

- the individual has consented to the disclosure;
- the individual would reasonably have known that the information would be disclosed;
- the staff believe on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or to another person;
- the disclosure is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty or for the protection of the public revenue.
- All the information concerning another person, to which you have access because of your involvement with Cork CIL, is strictly confidential. No *unauthorised* discussion or disclosure of information shall take place externally or within Cork CIL.

During attending meetings within the Cork CIL, you may have access to information that is discussed in confidence for progressing the business of Cork CIL services. All such information is strictly confidential, and no *unauthorised* discussion or disclosure of information shall take place externally or within Cork CIL.

As acknowledgment that you have read this agreement and understand Cork CIL policies on the disclosure of information and confidentiality, please sign below.

I, _____ have read the above information and understand the policy on confidentiality and the release of information.

Signature of Staff Member/ Volunteer _____

Role: _____

Date...../...../..... _____

Signature of Witness: _____

Role: _____

Date...../...../..... _____