

**Confidentiality Policy and Procedures**

|  |  |  |
| --- | --- | --- |
| **VERSION** | **Date approved by MC** | **Next review date** |
| Version 4 | 23.02.23 (Office Manual) | Feb 2024 |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

**11.1 Confidentiality Statement**

"St. Ann's Welfare Rights Advice Group is committed to providing a confidential advice service to its users. SAAG believes that principles of confidentiality must be integrated across all aspects of services and management. SAAG believes its users deserve the right to confidentiality to protect their interests and safeguard SAAG services.

**11.2 Definition of Confidentiality**

"SAAG understands confidentiality to mean that no information regarding a service user shall be given directly or indirectly to any third party which is external to the Staff and Manager, without that service user's prior expressed consent to disclose such information.

SAAG recognises that all users should be able to access SAAG's services.

SAAG recognises that information may be indirectly given out through staff informally discussing cases. All staff should ensure that no discussions relating to an individual user of SAAG can take place outside of SAAG's premises. The Management Committee will not receive details of individual users of their case.

SAAG recognises that users need to feel secure in using SAAG's services in a confidential manner. SAAG will ensure that all users are afforded confidential interview space."

**11.3 Statistical Recording**

"SAAG is committed to effective statistical recording of service users to enable SAAG to monitor take-up service and to identify any policy issues arising from advice services. The systematic monitoring of attendance non-attendance is used to improve & review our service. These statistics are routinely collected by the monitoring officer notified through the advisers. The manager & monitoring officer review non-attendance, as a percentage, monthly to identify any reoccurring trend.

It is the Manager's responsibility to ensure that all statistical records given to third parties, such as funding applications, monitoring reports for the local authority shall be produced in anonymous form, so individuals cannot be recognised.”

**11.4 Case Records**

"It is the Manager's responsibility to ensure that all case records are kept in locked filing cabinets. All case records must be locked away at the end of each working day. All information relating to service users will be left in locked drawers. This includes note books, copies of correspondence, calculation sheets and other sources of information."

**11.5 Expressed Consent to give information**

"It is the responsibility of the advice workers to ensure that where any action is agreed to be taken by SAAG on behalf of a client, that client must first sign an authorisation form. This should be placed on the client's file.

 Where no signed authority can be obtained for example in the case of one -off telephone enquiries, verbal consent should be obtained to act, share information and for quality and funding purposes. The case file should contain the following one verbal consent and authority has been obtained

‘I obtained verbal consent for the data on this case/enquiry to be held on our Advice pro system for 6 years and for the advice given can be assessed by our Advice Quality Auditor as required’

SAAG workers are responsible for checking with clients if it is acceptable to call them at home or work in relation to their case. All staff must ensure they make no reference to SAAG when making telephone contact with clients.

SAAG's advice workers are responsible for checking with clients that it is acceptable to write to them at home or work in relation to their case.

All details of expressed consent must be recorded on the case file."

**11.6 Breaches of Confidentiality**

"SAAG recognises that occasions may arise where individual workers feel they need to breach confidentiality. SAAG recognises however, that any breach of confidentiality may damage the reputation of SAAG's services and therefore has to be treated with the most serious of approaches.

On occasions where a worker feels confidentiality should be breached steps must be taken:

11.6.1 The worker should raise this matter immediately with the Co- workers/Senior

 Adviser.

11.6.2 The worker must discuss with the Co-workers/Senior Adviser the issues involved

 in this case and explain why they feel confidentiality should be breached and

 what would be achieved by breaching confidentiality. The Senior Adviser should

 take a written note of this discussion.

11.6.3 The Senior Adviser is responsible for discussing with the worker what options are

 available in each set of circumstances.

11.6.4 The Senior Adviser is responsible for making a decision of whether confidentiality

 should be breached. If the Senior Adviser decides that confidentiality is to be

 breached then they should take the following steps:

The Manager should contact the Chair in the first instance or Sub Chair of the Management Committee. The Senior Adviser should brief the Chair/Vice Chair of the full facts of the case, ensuring they do not breach confidentiality in doing so. The Manager should seek authorisation to breach confidentiality from the Chair/Vice Chair.

11.6.5 If the Chair/Vice Chair agrees to breach confidentiality, a full written report on the case should be made and any action agreed undertaken. The Senior Adviser is responsible for ensuring all activities are actioned.

11.6.6 If the Chair/Vice Chair does not agree to breach confidentiality then this is the

 final decision of the organisation.

11.6.7 In no circumstances should any breach of confidentiality be discussed at this

 stage with SAAG’s complaint's officer. This is to ensure that any future

 complaints or investigations arising from breach in confidentiality can be carried

 out in an independent manner.

**11.7 Legislative Framework**

SAAG will monitor this policy to ensure it meets statutory and legal requirements including the Data Protection Act, Children's Act, Rehabilitation of Offenders Act and Prevention of Terrorism Act. Training on the policy will include these aspects.

**11.8 Ensuring the effectiveness of the policy**

All Management Committee members will receive a copy of the confidentiality policy. Existing and new workers will be introduced to the confidentiality policy via induction and training. The policy will be reviewed annually and amendments should be proposed and agreed by the Management Committee.