

# CREST FAMILY PRACTICE

## CONFIDENTIALITY POLICY

All information held at the Practice is confidential, whether it is about patients or about the business of the Practice (for example its financial matters, staff records), regardless of the format in which it is held. Staff will by necessity have access to such information and are required to maintain confidentiality at all times.

The policy applies to all employees and Partners, and also applies in principle to other people who work at the Practice e.g. self-employed staff, temporary staff and contractors – collectively referred to below as 'workers'.

Crest Family Practice, as Employers:

- are responsible for ensuring that everybody employed by the Practice understands the need for, and maintains, confidentiality.
- have overall responsibility for ensuring that systems and mechanisms are in place to protect confidentiality.
- have vicarious liability for the actions of those working in the practice – including health professionals, non-clinical staff, and those not employed directly by the practice but who work in the surgery.

Standards of confidentiality apply to all health professionals, administrative and ancillary staff - including receptionists, secretaries, practice manager, cleaners and maintenance staff who are bound by contracts to maintain confidentiality. They must not reveal to anybody outside the Practice personal information they learn in the course of their work, or due to their presence in the surgery, without the patient's consent, other than to other health professionals on a need to know basis.

All health professionals must follow their professional codes of practice and the law. This means that they must make every effort to protect confidentiality. It also means that no identifiable information about a patient is passed to anyone or any agency without the express permission of that patient, except when this is essential for providing care or necessary to protect somebody's health, safety or well-being. (See below for care.data information.)

All health professionals are individually accountable for their own actions. They should, however, also work together as a team to ensure that standards of confidentiality are upheld, and that improper disclosures are avoided.

All information about patients is confidential: from the most sensitive diagnosis, to the fact of having visited the surgery or being registered at the Practice. All patients can expect that their personal information will not be disclosed without their permission (except in the most exceptional circumstances when disclosure is required when somebody is at grave risk of serious harm).

Workers must be aware of and conform to the requirements of the Caldicott recommendations, which will form part of the induction programme for every new member of staff.

Workers should limit any discussion about confidential information only to those who need to know within the Practice.

The duty of confidentiality owed to a person under 16 is as great as the duty owed to any other person. See the Practice Confidentiality of Teenagers Policy.

Electronic transfer of any confidential information, once approved by the Practice Manager/Senior Partner, must be transmitted via NHSnet, i.e. the recipient must have an nhs.net email account as well as the sender. Workers must take particular care that confidential information is not transmitted in error by email or over the Internet.

Workers must not take data from the Practice's computer systems (e.g. on a memory stick or removable drive) off the premises unless authorised to do so by the Practice Manager/Senior Partner.

Workers who suspect a breach of confidentiality must inform the Practice Manager or Senior Partner immediately. Any breach of confidentiality will be considered as a serious disciplinary offence and may lead to summary dismissal.

Workers remain bound by the requirement to keep information confidential even if they are no longer employed at the Practice. Any breach, or suspected breach, of confidentiality after the worker has left the Practice's employment will be passed to the Practice's lawyers for action

### **When disclosure is necessary**

If a patient or another person is at grave risk of serious harm which disclosure to an appropriate person would prevent, the relevant health professional can take advice from colleagues within the practice, of from a professional / regulatory / defence body, in order to decide whether disclosure without consent is justified to protect the patient or another person. If a decision is taken to disclose, the patient should always be informed before disclosure is made, unless to do so could be dangerous. If at all possible, any such decisions should be shared with another member of the practice team.

Any decision to disclose information to protect health, safety or well-being will be based on the degree of current or potential harm, not the age of the patient.

### **Care.data**

Under the Health & Social Care Act 2013, GP practices are required to share patient identifiable data with NHS England for health service planning purposes. NHS England may also pass this information on to third parties. Patients have the right to refuse consent for this use of their records, but the Practice will potentially share data relating to any patient who has not opted out. See also: Confidentiality of Teenagers Policy