

	<b>Staff confidentiality Policy</b>		<b>Reviewed</b>	
	<b>Adopted</b>	<b>October 2020</b>	<b>Revised</b>	
			<b>Next review</b>	<b>October 2022</b>

## Staff Confidentiality Policy and Agreement Kingston GP Chambers

### KEY PRINCIPLES

- All information held by Kingston GP Chambers (KGPC) about patients is confidential, whether held electronically or in hard copy.
- Other information about KGPC (for example its financial matters, staff records) is confidential.
- Staff will by necessity have access to such confidential information from time to time.

All employees and Partners, and other people who work at KGPC e.g. self-employed staff, temporary staff, contractors and students – collectively referred to herein as ‘workers’ will adhere to the policy.

### POLICY

- Workers must not, under any circumstances, disclose patient information to anyone outside KGPC, except to other health professionals on a need to know basis, or where the patient has provided written consent.
- All information about patients is confidential: from the most sensitive diagnosis, to the fact of having visited the service or being registered at KGPC. This includes information about patient’s families or others associated with them.
- Workers must not under any circumstances disclose other confidential information about KGPC to anyone outside KGPC unless with the express consent of KGPC.
- Workers should limit any discussion about confidential information only to those who need to know within KGPC.
- The duty of confidentiality owed to a person under 16 is as great as the duty owed to any other person.
- Workers must be aware of, and conform to, the requirements of the Caldicott recommendations.
- 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).
- Where disclosure of information is required which is non-routine in nature, the patient will, where possible, be fully informed of the nature of the disclosure prior to this being released.
- Electronic transfer of any confidential information, once approved by KGPC Manager, must be transmitted via the NHSnet. Workers must take particular care that confidential information is not transmitted in error by email or over the Internet.

- If a patient wishes to have information sent to them, we must explain that we cannot guarantee that their internet is secure; if they still wish to go ahead they must email us their consent and we will reply to their email with the information.
- Workers must not take data from KGPC's computer systems (e.g. on a memory stick or removable drive) off the premises unless authorised to do so by the General Manager

Workers who suspect a breach of confidentiality must inform the General Manager or the Board IG Director.

Any breach of confidentiality will be considered as a serious disciplinary offence and may lead to dismissal.

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

## **RESPONSIBILITIES OF FEDERATION STAFF/WORKERS**

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.

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.

*Additionally, Kingston GP Chambers as Employers:*

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

Standards of confidentiality apply to all health professionals, administrative and ancillary staff - including receptionists, secretaries, service manager, cleaners and maintenance staff who are bound by contracts of employment to maintain confidentiality. They must not reveal, to anybody outside KGPC, personal information they learn in the course of their work, or due to their presence in the service, without the patient's consent. Nor will they discuss with colleagues any aspect of a patient's attendance at the service in a way that might allow identification of the patient unless to do so is necessary for the patient's care.

## ***IF 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 KGPC, or 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 KGPC 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.