

## 1.0 Introduction:

The reasons for the Policy:

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

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 herein as 'workers' or any outside agencies/people that are using patient information for medical reasons.

## 2.0 Reference/Source:

- NHS Code of practice Confidentiality
- NHS Information Governance Policy
- FPM tool
- HSCIC.GOV
- Connecting for health Good practice Guidelines

## 3.0 Details:

### 3.1 Responsibility

Workers must not under any circumstances disclose patient information to anyone outside the Practice, 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 surgery or being registered at the Practice.

Workers must not under any circumstances disclose other confidential information about the Practice to anyone outside the Practice unless with the express consent of the *Senior Partner*.

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.

Workers must be aware of and conform to the requirements of the Caldecott 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).

Electronic transfer of any confidential information, once approved by the *Senior Partner*, 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. See also Electronic Transfer of Patient Data Policy

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*.

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 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

### 3.2 Code of practice

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, Pimlico Health @ the Marven, 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 and non-clinical staff (i.e. 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 of employment 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. Nor will they discuss with colleagues any aspect of a patient's attendance at the surgery in a way that might allow identification of the patient unless to do so is necessary for the patient's care.

### 3.3 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 the practice, 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 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.

### 3.3 Staff Declaration & Agreement

By signing off on this policy each employee does so to demonstrate that they understand that all information about patients held by Pimlico Health @ The Marven is strictly confidential, including the fact of a particular patient having visited the Surgery.

I will abide by the confidentiality guidelines set out below.

I have read the Staff Confidentiality Policy above and fully understand my obligations and the consequences of any breach of confidentiality. I understand that a breach of these obligations may result in dismissal.

I understand that any breach, or suspected breach, of confidentiality by me after I have left the Practice's employment will be passed to the Practice's lawyers for action.

If I hold a professional qualification and my right to Practice depends on that qualification being registered with a governing body, it is my responsibility to have read and understood their advice on confidentiality.

You are signing this policy, to demonstrate that you have read, and understood it. And that you will adhere to all points herein.

Name Print:

Sign:

Date: