

# RED ROOFS SURGERY

## Confidentiality Policy for Practice Staff

### Policy Overview

#### **The reasons for the Policy:**

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

### Applicability

The policy applies to all Practice Employees and Partners, and also applies to other people who work at the Practice e.g. Locum GPs, Non-employed nursing staff, Temporary staff and Contractors (referred to as "Staff" throughout this document).

### Acting Lawfully and Legal Duties

Staff must act according to and comply with the law when using, accessing or sharing/disclosing personal information. If there is any questions about the information required or the legal basis for requesting the information, staff should ask for clarification from the requestor in the first instance.

Doctors are under ethical and legal duties to protect patient information from any inappropriate disclosure, whether intentional or not. If you are not sure of the steps to take in a particular situation, you should consult a Caldicott or data guardian, your defence body or professional association, or seek independent legal advice.

### Procedure

#### **The terms of the Policy:**

- Staff must regard all patient information as confidential and 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;
- Staff must not, under any circumstances, disclose other confidential information about the Practice to anyone outside the Practice, unless with the express consent of the Practice Manager / Senior Partner;
- Staff should limit any discussion about confidential information only to those who need to know within the Practice;
- Staff must be aware of and conform to the requirements of the Caldicott recommendations;
- Electronic transfer of any confidential information, once approved by the Practice Manager / Senior Partner, must be transmitted via the NHSNet;
- Staff must take particular care that confidential information is not transmitted in error by email or over the internet;

- Staff who suspect a breach of confidentiality must inform the Practice Manager/Senior Partner immediately;
- Any breach of confidentiality will be considered as a serious disciplinary offence and may lead to dismissal;
- Staff remain bound by the requirement to keep information confidential, even when they are no longer employed at the Practice.

All Staff will be required to sign the Practices Confidentiality Statement, as detailed overleaf.

## **Principles of Confidentiality and secure data handling**

- Information must be **securely managed and protected**
- Personal Information handling must **comply with legal requirements**
- **Staff must be trained** on their confidentiality responsibilities and be aware of them at all times
- Use the **minimum identifiable personal information necessary** – anonymise where available.
- Any information shared must follow **confidentiality guidance**.
- **Patients must be made aware of disclosures** of personal information, or to verify they have received information about any such disclosures where practicable, or unless it undermines the reasons for disclosure.
- **Explicit Consent** must be gained to share personal identifiable data for purposes other than for their own care or for audit purposes. This does not apply where the disclosure is required by law or it is justified in the public interest.
- **Patients should be fully informed of their rights** regarding sharing their identifiable data, legal rights, and to have access or copies of their health records.