



Royal Association for Deaf people

Confidentiality Policy

Please click here for a BSL version of this policy:
<https://www.youtube.com/watch?v=-VXVBFsrVnc>

Policy Statement

RAD is committed to the confidentiality of information about the organisation and the individuals who use our services. RAD recognises that all service users should be able to access services and ask for advice in confidence. Where there are concerns about an individual or situation, staff **must** disclose these concerns to their line manager or a senior manager within RAD. Disclosure within the organisation is **not** a breach of confidentiality.

The exceptions to confidentiality are when:

- There are **safeguarding issues** in relation to a child, young person or vulnerable adult. This could be:
 - where an individual has been abused / harmed by someone else;
 - where a person plans to or has harmed / abused another person; or
 - where a client tells you he/she plans to self-harm.
- There are concerns about financial irregularities, such as money laundering or embezzlement.
- A crime (or the intention to commit a crime) against a person or property has been disclosed.
- Information related to **terrorism** or suspected terrorism is disclosed.

If it is safe to do so, the service user will be told that the information is going to be shared. See further details on what to do below.

Unauthorised disclosure of personal information, or details of RAD as an organisation, will be dealt with under RAD's disciplinary procedure. Deliberate unauthorised access to confidential information is a serious matter and will also be dealt with under RAD's disciplinary procedure.

All members of staff receive induction in which confidentiality is explained and they are required to sign a Code of Confidentiality or Confidentiality Agreement at the commencement of their employment or period of voluntary work. For paid staff this is contained within the Contract of Employment.

The Policy in Practice

RAD staff may have access to confidential information in the normal course of their duties. RAD understands confidentiality to mean that no information regarding a service user shall be given directly or indirectly to any third party outside RAD without the service user's permission.

Author: Director of Finance and Administration
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RAD recognises that the Deaf community is small, and our services may be based at locations when other activities may take place and confidentiality issues may arise.

All efforts will be made to ensure that staff are able to address needs where the service user feels most comfortable.

Statistical Recording

RAD is committed to effective statistical recording of service use to enable the quality assessment and monitoring of take up of service and to identify any policy issues arising from its services.

All statistical records given to third parties, such as to support funding applications and monitoring reports for the local authority shall be produced in anonymous form so that individuals cannot be recognised.

Service User / Casework Files

All service user/casework files must be kept in locked filing cabinets. All files must be locked away at the end of each working day. Other information relating to service users will be kept in locked drawers. This includes note books, copies of correspondence, case notes, calculation sheets and any other sources of information.

Consent to Sharing Information

Work with some services users is carried out on a commissioned basis (e.g. from a Social Services care manager, or a carer through Direct Payments, for community support work for an individual). In these circumstances, the nature of information that will be shared and or disclosed will be determined at the beginning of the contracted work, by both the service users and the commissioner.

Where RAD agrees to act on behalf of a client, it is the responsibility of the caseworkers to ensure that the client signs a consent form. This form should be placed on the client's file. Caseworkers are responsible for checking with clients if it is acceptable to contact them at home or work in relation to their case. All staff must ensure they make no reference to RAD when making contact with clients.

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

Social Policy / Case Study Examples – evidence or research

When writing reports, extra care needs to be taken to safeguard against details that could identify any service user, unless express written agreement has been obtained from the service user themselves. This is especially important because, in the Deaf community, even general details about a person could identify them.

Breaches of Confidentiality

There are occasions when confidentiality must be breached. If staff are concerned about safeguarding issues in relation to a child, young person or adult please consult the Policy for the Safeguarding of Children or the Policy for the Adult Safeguarding policy which will tell you step-by-step what to do.

If the issues relate to terrorism or crime, including disclosure of information relating to the harm of a child or adult or against an RAD staff member or RAD property, report this to the Chief Executive.

Procedures

- All records, paper and computerised, are subject to the Data Protection Act 1998 and must not be disclosed to an unauthorised person.
- Security passwords must not be disclosed to unauthorised persons.
- Unauthorised access to RAD's computers is not allowed.
- Paper records of service users or staff, or any other confidential information, must be stored in an area that is secure from unauthorised access out of office hours and does not allow access by unauthorised persons. It is recommended that lockable metal filing cabinets or other secure means be used to store files to prevent unauthorised access.
- All alterations or additions made to service users' files or staff personal records should be dated and signed.
- Staff should not talk or use sign language about confidential matters in public places, or to family or friends.
- Any employee of RAD involved in a selection procedure should declare any relationship or specific contact between themselves and the candidate.
- The employees' duty of confidentiality applies throughout their employment or period of voluntary work including notice periods and continues after they have left RAD. This is also covered in the Contract of Employment.
- A 'Clear Desk' policy should be adopted in all RAD offices/centres. Confidential information should not be left on desks or in filing trays or on public view, i.e. 'post it' notes on walls, desks or computers. This applies at all times whether or not offices are locked or there are staff on the premises.

- If, by the requirements of their employment, RAD staff take confidential files out of the RAD office/centre the files must be carried and stored discreetly and securely. *Staff must have the consent of their line manager prior to removing client files from a RAD office/centre. Files should never be left on car seats or left in a car overnight. If such files are taken out of RAD offices/centres, then removal must be recorded, dated and signed in a suitable book and signed in again when returned.* Strictest confidentiality is required when carrying out a home visit to a service user on behalf of RAD. Details of the service user's home, personal circumstances or family should not be disclosed or commented on unless directly relating to the situation in hand and then only with the service user's permission. Two exceptional areas of disclosure would be in the case of a) the risk of significant harm or death or b) child vulnerable adult abuse.
- Interviews or discussion with service users of RAD should be carried out in a manner that ensures that privacy and dignity are maintained.
- Information can be disclosed to your RAD line manager. Such information must be disclosed in emergency situations to avoid harm to service users and others and to prevent serious infringement of the law.
- Where service users of RAD have difficulty maintaining their own privacy and dignity it is the responsibility of RAD staff to sympathetically help and support them.

It should be remembered that sign language is a very visual form of communication and every care must be taken to maintain confidentiality.