

AdvoCard Confidentiality Policy

1 Statement of Policy

1.1 AdvoCard asserts its belief that confidentiality is an ethical principle and legal right which enables a person to communicate sensitive information to another in the belief that it will be held responsibly by that person and will not be divulged to a third party without consent.

1.2 AdvoCard asserts that confidentiality is essential for the development and maintenance of trust within relationships between:

1.2.1 service user and advocacy worker

1.2.2 co-workers (including employees, volunteers, Board of Directors)

1.3 AdvoCard wants to raise awareness and inform stakeholders – including workers, service users, partner organisations and members of the public - about its duty to maintain confidentiality.

1.4 AdvoCard is committed to developing, maintaining and reviewing systems that respect the right to confidentiality.

1.5 AdvoCard accepts that its understanding of confidentiality has boundaries and that under certain circumstances it might be necessary to consider breaching someone's confidence within a clearly identifiable procedure.

2 AdvoCard's Responsibilities as an Employer

2.1 AdvoCard agrees to:

2.1.1 Inform, advise, guide, support and train workers, as appropriate, with regard to their responsibilities around

- confidentiality
- 2.1.2 Develop, maintain and improve systems for ensuring that confidentiality is adhered to through responsible data protection procedures
- 2.1.3 Ensure that any personal information held is used only for the purpose intended
- 2.1.4 Request personal information pertaining to workers – including references from previous employers and disclosure information – with their consent and cooperation
- 2.1.5 Inform workers about procedures that promote AdvoCard’s commitment to confidentiality when working with stakeholders, and in particular, protocols with partner organisations
- 2.1.6 Inform workers of actions necessary to maintain the confidentiality of information personal to any stakeholder
- 2.1.7 Comply with legislation, principally the *Data Protection Act 1998*
- 2.1.8 Review policy, procedures and systems in line with legislation and guidance around good practice
- 2.1.9 Ensure that for training and monitoring purposes, all stakeholders’ confidentiality is maintained by making any information shared within the organisation anonymous, so that individuals are not identifiable.
- 2.1.10 Investigate any breaches of its service users’ and workers’ confidentiality, in line with:
 - 2.1.10.a *AdvoCard Complaints Procedure*
 - 2.1.10.b *AdvoCard Disciplinary Procedure*
 - 2.1.10.c relevant legislation and recourse through the law

3 AdvoCard Worker’s Responsibilities

3.1 AdvoCard workers agree to protect and maintain the confidentiality of:

- 3.1.1 Service users
- 3.1.1 AdvoCard workers

3.2 AdvoCard workers agree to adhere to the policies and procedures including:

- 3.2.1 *AdvoCard Code of Practice for Advocates*

3.2.2 Data protection procedures including recording, storing, handling and using person identifiable information

3.3 AdvoCard workers, with regard to the service user's confidentiality, agree to:

3.3.1 Respect the service user's right to not contact others without their knowledge and consent

3.3.2 Only hold information about the service user's situation, circumstances and treatment that is accessible to the service user

3.3.3 Review information held that is relevant to the service user's advocacy need as appropriate

3.3.4 Ensure that no information will be shared as a matter of course with other workers, unless it is necessary to maintain effective service delivery in the context of supervision, support or good management

3.3.5 Ensure all information passed on by other AdvoCard workers will be treated as confidential in all cases

3.3.6 Inform the service user of the necessity to share information with other AdvoCard workers and let them know the reasons for doing so

3.4 AdvoCard workers, with regard to the boundaries of the service user's confidentiality, agree to:

3.4.1 Inform the service user about the limits of confidentiality, so that workers are not placed in a position where they are hearing information that might be detrimental to the advocacy relationship

3.4.2 Inform the service user that where the safety and wellbeing of the service user or a third party are at significant risk, confidentiality might need to be broken

3.4.3 Make reasonable attempts to address breaching confidentiality firstly with the service user

3.4.4 Raise concerns promptly, where it is necessary to break confidentiality, with the Director so that they are able to inform appropriate partner organisations of issues in a timely fashion

3.5 AdvoCard workers agree to inform stakeholders – including

partner organisations, carers, interested parties - that AdvoCard will share any information passed on to them *about* the service user *to* the service user and that no information will be considered *off the record*.

3.6 AdvoCard workers agree to participate in training and supervision around issues of confidentiality.

3.7 AdvoCard workers agree to maintain confidentiality after leaving AdvoCard.

4 Review

4.1 Advocard will review this policy annually

5 Policy References

5.1 AdvoCard policies and procedures referred to in this policy:

- Code of Practice for Advocates
- Complaints Procedure
- Disciplinary Procedure
- Data Protection Procedures

drafted March 2006