

The Village Residence	POLICY NO:	
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CONFIDENTIALITY POLICY		

Title of Guideline: Policy On Confidentiality	
Description of the Guideline: This Policy has been developed for the staff in The Village Residence	
Ratification Details:	
Developed by: Director of Nursing Office with Clinical Nurse Managers	Date Developed: Revised February 2011 February 2012 Revised 2015, Sep 2017, Nov 2020, Sept 2023
Developed By: Nursing Department.	Date Approved: February 2011. Revised and approved February 2012 Feb 2015, September 2017, November 2020, Sept 2023
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Status of the Policy: Final	

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1.1 Information regarding a residents history, treatment and state of health is privileged and Confidential. (Nursing and midwifery Board Ireland, 2000).

1.2 Confidentiality is taken to mean that information given by or about a resident will only be used for the purpose for which it is given.

2. Confidentiality in practice

2.1 All staff must be made aware of confidentiality issues as part of their induction process.

2.2 Staff should inform residents of the nature of confidentiality in practice at the first contact and inform them of any limits to confidentiality.

2.3 It is recognised that staff need to be able to discuss and share clinical work in a supportive context with colleagues. Staff will use their own professional judgment to decide what information is appropriate to share with the team members to enable the team to perform its duties (Nursing and Midwifery Board Ireland 2000). Such information is disclosed on the basis of strict professional confidence (Nursing and Midwifery Board Ireland, 2000).

2.4 Information will be stored in such a way as to ensure it is secure. The confidentiality of information stored on computer is protected by the data protection act. Residents may request information held about them under the Freedom of Information Act and Data Protection Act. **This request must be made in writing to the Freedom of Information Office, Saint Feilim's Hospital, Cavan or through Ms Maura Ward in Louth Community Services Dublin Road Dundalk Co. Louth. Staff must await approval prior to providing the information.**

2.5 Staff will exercise caution when using e-mail and all staff will be familiar with the HSE Electronic Mail Good Practice Guidelines (2005).

2.6 In taking part in research activities the principals of confidentiality must be safeguarded. Research activities must be sanctioned by an appropriate body to ensure that confidentiality is protected at all times (Nursing and Midwifery Board Ireland, 2000).

3. Exceptions in Confidentiality,

3.1 There is an obligation on all staff to protect the privacy of information given in confidence. There are however exceptions to this obligation. These include:

- a. Where the resident gives written informed consent to give information to a third party.
- b. Where required by law or court order.

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c. Where disclosure is in the interest of safety of the resident.

d. Where disclosure is in the interest of public safety. .,

3.2 Decisions in regard to 3.1 should be made with the Responsible Doctor and Director of Nursing and documented accordingly.

3.2.1 Any documentation that is taken from the Unit must be signed out by staff concerned and recorded in Diary

a. Reason for taking document

b. Name of person taking documents and to where

c. Expected return time and date of documents

d. Notification to director of Nursing Office

In the course of their duties staff of the Village Residence will be privy to confidential information concerning clients' private affairs:

4.1. It is a condition of employment within The Village Residence that such information shall not be disclosed to any unauthorised third party without the express consent of the client, or if the client is unable to judge, the client's immediate family or advocate.

4.2 Confidential information will not be sought from a client unless expressly in the interests of that client, i.e. to enable a better Care Plan to be developed.

4.3 The client shall be kept informed at all times of the outcome of confidential discussions by the Care Staff concerning them.

4.4 Per the requirements of the Policy on Data Protection administrative staff involved in the processing of clients' personal data will take all reasonable precautions to prevent sighting of data by unauthorised persons:

- record files are locked away when not in use;
- where practical, computer VDU screens should be tilted towards the user and away from the general office environment;

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- VDUs are not left on when not in use.

4.5 In The Village Residence, the client has the right of access to their personal records at any time.

4.6 Care Staff will always consult their immediate supervisor or manager if they are unclear with respect to any item concerning confidentiality, or when made privy to confidential information that may have legal and / or criminal connotations (e.g. if a client confides that they have allegedly been submitted to sexual abuse by a staff member).

5 Notwithstanding these factors there may be occasions when this Confidentiality Policy may be breached. This will always ONLY be done with the client's best interests in mind, and will focus upon the following circumstances:

5.4 Where information provided by the client needs to be shared with management of the Agency, and with other named Social Care/Community Care agencies, for the express purpose of developing an appropriate Care Plan for that client.

5.5 Where the client has particularly requested certain information to be divulged to a third party. *In such cases appropriate notes MUST be made in the client's Care Records, together with a signed record of authorisation from the client or his / her advocate.*

6 Any breaches of this Policy will be dealt with under the Disciplinary Procedure. Deliberate or malicious breaching of this Confidentiality Policy will be construed as an act of Gross Misconduct leading to summary dismissal of the offender.

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References

Code of Professional Conduct for the Nurse and Midwife. Nursing and Midwifery Board Ireland (2000)

H~E Electronic Mail Good Practice Guidelines (2005)