



Statement on Confidentiality

Introduction

It is generally accepted that most information provided by clients to Loga Care is **given in confidence** and must be treated as such so long as it remains capable of identifying the individual it relates to. **Loga Care and its staff will respect and protect** all confidential information concerning its clients at all times.

Any failure to observe the principles outlined in Loga Care's policy/procedure statement on **protecting privacy and dignity** (and which includes protecting confidential information) will lead to disciplinary action which, in more serious or repeated cases, **may lead to the employee's dismissal**.

The general duty to hold such information in confidence arises from:

- a) a **legal obligation** which is derived from specific Acts and case law;
- b) a requirement established within **professional codes of conduct** (which apply to many of the healthcare workers who may be part of the client's *healthcare team*);
- c) a requirement for staff not to improperly divulge confidential information, which is a duty incorporated into staff disciplinary procedures.

The protection of confidential information is an important component of Loga Care's procedures and protocols, and includes the following measures:

- a) **Procedures** to ensure that all staff are at all times fully aware of their responsibilities regarding confidentiality;
- b) Recording client information **accurately and consistently**;
- c) Keeping client information **private**;
- d) Keeping client information **physically secure**;
- e) Disclosing and using information with **appropriate care**.

Disclosure of confidential information by Loga Care

Loga Care is expected, on occasion, to **share confidential client information** between members of care teams and between different organisations, in order that the client is able to receive, overall, the highest quality care. The information may be needed for care purposes involving the client, (such as delivering the correct care, arranging for care or co-ordinating care) or for such matters as clinical governance or clinical audit.

Clients may object to the routine disclosure of information described above if they wish, although they will be advised that this may not be in their best interests.

In **circumstances where clients have been informed** of:

- a) the use and disclosure of their information associated with their care; and
- b) the choices that they have and the implications of choosing to limit how information may be used or shared;



Statement on Confidentiality

then explicit consent is not usually required for information disclosures needed to provide that care. However any **explicit objection** to disclosure will be acted upon, and fully documented in the client's file. It will be made clear to the client that they **are able to change their mind at a later date**.

However where confidential information is requested, but does not satisfy the tests of necessity and appropriateness that must govern the use of identifiable client information, then it will, where possible, be anonymised to protect the client. In all other circumstances efforts will be made to obtain and record consent from the client **unless there are statutory grounds** for setting confidentiality aside or **robust public interest or important safety/security issues exist**.

If you object to Loga Care sharing confidential information about you in the manner described, **please inform** its representative accordingly.