

# Disclosure of Patient Information Policy

## Version Control Sheet

VERSION	DATE OF REVIEW	IMPLEMENTED AND AUDITED BY	STATUS	COMMENTS
4	01/04/2024	Ann Kelly (Registered Manager)	Active	To be reviewed 01/04/2025

## Purpose

This policy outlines and clarifies the obligations of Clinical24 Staffing Limited towards the protection of patient's confidential information in line with the Data Protection Act 2018 and relevant features of the General Data Protection Regulation.

## Statement

Clinical24 Staffing Limited understands and accepts its legal, moral and ethical duty to protect information which is confidential to its patient with whom it comes into contact during the course of its operations. Everyone employed within Clinical24 Staffing Limited is under a strict obligation to adhere to the practices and principles outlined within this policy statement. Any breaches will be dealt with under Clinical24 Staffing Limited's disciplinary policy.

## Procedure and Guidance

### Definitions

The following types of information are classed as confidential. This list is not exhaustive:

Person-identifiable information is anything that contains the means to identify a person, e.g., name, address, postcode, date of birth, NHS number, National Insurance number etc. Even a visual image (e.g., photograph) is sufficient to identify an individual. Any data or combination of data and other information, which can indirectly identify the person, will also fall into this definition.

Sensitive/confidential personal information refers to personal information about:

- Race or ethnic origin
- Political opinions
- Religious or similar beliefs

- Trade union membership
- Physical or mental health or condition
- Sexual life
- Commission or alleged commission of any offence

Any proceedings for any offence committed or alleged to have been committed, the disposal of such proceedings or the sentence of any court in such proceedings

### **Confidentiality and Data Protection**

Confidential information within a healthcare environment is commonly thought of as health information; however, it can also include information that is private and not public knowledge or information that an individual would not expect to be shared. It can take many forms including staff records, occupational health records, etc. It also includes confidential business information.

Non-person-identifiable information can also be classed as confidential such as confidential business information e.g., financial reports; commercially sensitive information e.g. contracts, trade secrets, procurement information, which should also be treated with the same degree of care.

All staff working in Clinical24 Staffing Limited are bound by a legal duty of confidence to protect personal and/or confidential information they may come into contact with during the course of their work. This is not just a requirement of their contractual responsibilities but also a requirement within the common law duty of confidence, the Data Protection Act 2018 and relevant features of the General Data Protection Regulation.

### **Caldicott Principles**

The Caldicott Principles provide a framework for disclosing patient information, emphasizing the importance of protecting patient privacy. The six principles are as follows:

1. Justify the purpose(s) for using patient information.
2. Only use patient information when absolutely necessary.
3. Use the minimum necessary patient information.
4. Access patient information on a strict need-to-know basis.
5. Understand and comply with the law regarding patient information.
6. Appreciate and uphold the importance of confidentiality.

All staff members must adhere to the Caldicott Principles when accessing, using, and disclosing patient information, ensuring that these principles are integrated into their practice.

## **Disclosure of Patient Information**

Patient information may be disclosed in specific circumstances, including:

- With the explicit consent of the patient or their authorized representative.
- When required by law or a court order.
- To other healthcare professionals involved in the patient's care, ensuring they have a legitimate need-to-know.
- To relevant regulatory bodies for audit and inspection purposes.
- When there is a risk to the patient or others, and the disclosure is necessary to minimize that risk.
- For research purposes, ensuring that patient data is anonymized and protected.

Any disclosure of patient information must be documented in the patient's records, including the date, time, reason, and the recipient of the information. Justification for the disclosure should always be provided.

## **Responsibility of Protecting Patient Information**

- All staff members are responsible for ensuring patient information is kept confidential and protected.
- Staff members must undergo training on data protection, confidentiality, and the handling of patient information.
- Physical and digital records containing patient information should be secured and accessed only by authorized personnel.
- Communication about patient information should be conducted discreetly, ensuring it is not overheard by unauthorized individuals.

## **Implications of Breaches**

- Breaches of patient confidentiality and data protection can have severe consequences for both the Company and the individual involved.
- Any suspected or actual breaches of patient information must be reported immediately to the Registered Manager or designated person responsible for data protection.
- The Company will conduct thorough investigations into reported breaches, following internal policies and procedures.

- Appropriate actions will be taken in response to breaches, which may include disciplinary measures, legal actions, and reporting to regulatory and oversight bodies, as required.

### Review and Compliance

This Disclosure of Patient Information Policy will be reviewed annually to ensure compliance with internal policies, changes in legislation, and best practices. Non-compliance with this policy may result in disciplinary action, including termination of employment or contract, for employees or contracted professionals who fail to adhere to patient confidentiality and data protection requirements.

By implementing this Disclosure of Patient Information Policy, Clinical24 Staffing Limited ensures the protection of patient privacy rights, compliance with data protection laws, and the ethical disclosure of patient information in accordance with the Caldicott Principles.

### Next Review

Reviewed by:	Ann Kelly
Title:	Registered Manager
Signed:	
Last Review Date:	01/04/2024
Actions:	Address Updated

Next Review Date: April 2025