



# Confidentiality, Privacy & Dignity

## 1. Background

To enable our services to properly support and meet the needs of residents and clients, Abbeyfield The Dales Limited's (ATD) staff and volunteers will have access to confidential personal information detailing their individual needs.

While access to this information is necessary to provide a high-quality personalised service, staff and volunteers with such access are in a position of trust which must always be respected.

All staff and volunteers have a responsibility in ensuring people's right to privacy is respected, always promoted and upheld. ATD believes that all individuals accessing ATD services must be treated with dignity as the need to accept help with personal care can affect self-esteem. ATD residents' personal dignity must always be preserved.

This policy details the expectations and responsibilities of all staff and volunteers in handling and viewing personal and confidential data, including any confidential information they may obtain about organisational affairs, staff members or volunteers. It supports ATD Data Protection Policy and Procedure.

## 2. Objectives

ATD is committed to providing services that enhance the quality of life for older people and developing services that will meet the needs of future generations. This commitment is based on the Mission and Values of ATD. ATD will also comply with all relevant and current legislation. This policy aims to:

- Ensure a consistent approach to residents' rights to confidentiality and privacy and dignity across ATD services;
- Outline the responsibilities of all staff and volunteers in ensuring that individuals living with ATD have confidentiality, privacy and dignity in all aspects of their lives, both on an individual and a group basis, at all times; and
- Ensure any legal and regulatory requirements are met.

## 3. Scope

All staff, agency workers and volunteers working within the service.

## 4. Policy

### 4.1. Confidentiality

Confidential information includes, but is not limited, to:

- Personal information held about residents and clients, staff and volunteers;
- Information concerning the activities of ATD – including facts, information, trade secrets and commercially sensitive information;
- Products, technology and inventions (whether existing or under development); and
- All information kept in line with the Data Protection Act.

#### **4.1.1. Responsibilities of staff and volunteers:**

- Staff and volunteers are not permitted to use or disclose any confidential information to any third person at any time during, or after, their time with ATD except where this has been agreed by the organisation;
- All ATD staff and volunteers must respect the confidentiality and privacy of residents and should not divulge information given to them in confidence (except in exceptional circumstances, see 4.1.3.);
- Staff and volunteers must ensure that confidential information about residents (and other stakeholders) is not recorded in general open documents and written external communications;
- Staff and volunteers should not make or keep any personal copies of confidential documents, or extracts of documents, that come into their possession during their time with ATD;
- Staff and volunteers must not gossip about residents, applicants or other stakeholders, including the use of social media;
- Confidential information held about staff and volunteers is held securely and may be accessed by the individual concerned, on request; and
- At the end of their employment, or volunteering involvement, staff members and volunteers must not retain or take any records of any kind, including copies or extracts, relating to ATD, people living with ATD, staff, or volunteers. Any such records, copies or extracts are deemed to belong to ATD at all times and must be surrendered on demand.

#### **4.1.2. The Rights of Individuals living with ATD:**

- Personal information held about residents (provided by them, their representatives or their GP, for example), including 'Care Plans and My Life Plans are stored confidentially.
- ATD will seek permission from the individual concerned prior to ATD approaching a third party to ask for information about them.
- Residents and clients– and relevant staff and volunteers – will normally have access to all confidential information held about them.
- Residents and clients may choose to view the confidential information held about them. If, after viewing confidential information held by ATD, they disagree with anything recorded, they have the right to have the records amended in line with the General Data Protection Regulations (GDPR).

#### **4.1.3. Exceptional Circumstances**

In exceptional circumstances ATD may need to hold or disclose confidential information without the consent of the individual. This will not be normal practice and will only happen when it is judged necessary to fulfil our responsibility to provide a fair and safe service to all individuals.

Confidential information concerning those receiving services from ATD will only be shared on a 'need to know' basis. Therefore, confidential information about ATD residents will only be shared amongst the ATD team, and any relevant external parties - when:

- It is related to their care and support needs;
- It would be harmful to the person concerned, or others, if the information was not passed on;
- A member of staff or volunteer suspects that a resident has been harmed, or is at risk of being harmed, and is following the procedure outlined in ATD's Safeguarding Vulnerable People Policy; or

- It becomes a police matter and local Emergency Services are involved.

#### **4.1.4. Media Approaches**

No personal details of any resident should be given to the press or media at any time. Any statements to the media may only be given by the Chief Executive (CE) or when delegated by the CE, to another member of the Senior Management Team (SMT).

## **4.2. Privacy**

Staff and volunteers will promote the privacy of those receiving ATD services by:

- Offering a range of locations around a house or care home for residents to be alone or with others;
- Ensuring people's privacy when using the telephone; receiving, opening, reading and sending mail: communicating with friends, relatives, advisors or health care professionals;
- Assisting people to furnish and equip their ATD accommodation in their own style and to use it freely for leisure, entertaining and receiving visitors;
- Providing suitable locks on individuals' storage space and private accommodation and providing each resident with their own keys;
- Providing suitable locks on toilets, bathrooms and any other rooms, which do not compromise privacy but are also accessible to staff members in emergencies;
- In care settings, staff will ensure all intimate / personal care is given in a sensitive and discreet way; and/or
- Ensuring the confidentiality of information ATD holds about residents.
- Being respectful when entering a resident's own home or personal space.

## **4.3. Dignity**

This includes promoting respect, privacy, independence and self-worth, at all times.

Staff and volunteers promote dignity by:

- Treating each person as a unique and valued individual;
- Using each individual's chosen and preferred form of address;
- Offering a range of activities which enables each person to express themselves as an individual;
- Encouraging and supporting people to do as much for themselves as possible and not assuming help is needed;
- Being patient, courteous and respectful;
- Never patronising or stereotyping people;
- Ensuring people do not feel isolated or alone;
- Respecting the human rights of those using ATD services; and
- Promoting equality and diversity by ensuring residents are not discriminated against for any reason and that care provided has due regard to their:
  - Language;
  - Nationality;
  - Age;
  - Disability;
  - Gender Reassignment;
  - Marriage and Civil Partnership;
  - Pregnancy and Maternity;
  - Race;
  - Religion or Belief;
  - Sex;

- Sexual Orientation; and/or
- Or any other personal characteristics.

#### **4.3.1. Dignity in Care**

ATD recognises that the need to accept help with personal care can affect self-esteem. To ensure the dignity of residents who require such assistance, care staff will:

- Support residents to maintain their appearance and to present themselves to others as they wish.
- Take care of residents' personal belongings and ensure that residents wear their own clothes at all times.
- Encourage and support residents to do as much for themselves as possible.

ATD promotes dignity in all its operations and recognises that a high-quality care service is one which should:

- Have a zero tolerance of all forms of abuse.
- Support people with the same respect you would want for yourself or a member of your family.
- Treat each person as an individual by offering a personalised service.
- Enable people to maintain the maximum possible level of independence, choice and control.
- Listen and support people to express their needs and wants.
- Respect people's right to privacy.
- Ensure people feel able to complain without fear of retribution.
- Engage with family members and carers as care partners.
- Assist people to maintain confidence and a positive self-esteem.
- Act to alleviate people's loneliness and isolation.

Further details about the dignity in care campaign are available from the website: <http://www.dignityincare.org.uk>.

#### **4.4. The Rights and Responsibilities of Staff and Volunteers**

- ATD's induction procedure introduces staff and volunteers to this Confidentiality, Privacy & Dignity Policy and confirms the required practice.
- ATD provides support and advice to enable staff and volunteers to maintain good practice.
- Staff and volunteers can seek advice on difficult issues from the relevant manager.
- If a breach of this policy is observed, staff or volunteers will speak directly to the person responsible, if appropriate, before reporting to the relevant manager.

#### **5. Finance, Value for Money & Social Value**

N/A

#### **6. Supported Appendices**

N/A

#### **7. Linked Policies**

Equality & Diversity (LG016P)

Data Protection (LG013P)

#### **8. Legislation/Regulation**

Section 20 regulations of the Health & Social Care Act 2008

Essential Standards of Quality and Safety

Outcome 1: Respecting and involving people who use services

Outcome 4: Care and welfare of people who use services

**9. Review**

Every 3 years, subject to any regulatory or legislative updates.

**10. Procedure/Guidance**

N/A