



### **Confidentiality Statement**

Homemaker Southwest is committed to providing a confidential service to its clients. We believe that principles of confidentiality must be integrated across all aspects of services and management. We believe our clients deserve the right to confidentiality to protect their interests and safeguard our services. We make this clear in our literature, and will not normally talk to another person or organisation about anything a client wishes to be kept confidential, except as described below.

### **Definition of Confidentiality**

Homemaker understands confidentiality to mean that no information regarding a client shall be given directly or indirectly to any third party which is external to the Staff and Managers, without that client's prior expressed consent to disclose such information. There may be exceptions to the above when abuse of any person is reported or suspected. See below, 'breaches of confidentiality' and please refer to our Protections from Abuse Policy's, and our Data Protection Policy.

Homemaker recognises that all clients should be able to access our services in confidence and that no other person, except the referring agent, should ever know that they have used our services.

The Board will not receive identifiable details of individual clients or their case.

Details of a client's circumstances will not be used in publicity material, even anonymously, without their prior consent.

### **Planned Breaches of Confidentiality**

Homemaker recognises that there may be occasions may arise where individual workers feel they need to breach confidentiality. We recognise, however, that any breach of confidentiality may damage the reputation of our services and therefore has to be treated seriously.

Circumstances under which confidentiality may need to be broken usually relate to situations where a risk or potential risk of harm (or abuse) to the client, staff member or anyone else has been identified. In these circumstances the following steps must be taken.

1. Except where there is an emergency and an imminent risk of harm or danger and where the police need to be informed via 999, the worker must raise the matter immediately with their Manager. They must discuss the issues involved in the case and explain why they feel confidentiality should be breached and what would be achieved by breaching confidentiality. The Manager should make a written note of this discussion.

2. The Manager is responsible for discussing with the worker what options are available in each set of circumstances.
3. The Manager is responsible for making a decision on whether confidentiality should be breached.
4. If the Manager decides that confidentiality is to be breached then they must ensure that a full written report on the case is made and any action agreed undertaken. The Manager is responsible for ensuring agreed action is implemented and followed up as appropriate.

### **Sharing of information with relevant agencies**

It is almost inevitable that caseworkers will need to discuss a client's situation with agencies such as the Benefits Agency, the local council, or utility providers, in order to assist in sorting out the client's financial situation. Such contact will only be made following receipt of a signed Letter of Authority from the client. It is the responsibility of staff to ensure that where any action is agreed to be taken by Homemaker on behalf of a client, that client must first give verbal permission and sign an authorisation form unless there are practical reasons why the signed permission cannot be immediately obtained. A copy of any letters of authorisation should be placed on the client's file.

Staff are responsible for checking with clients if it is acceptable to call them at home or at work in relation to their case, or to leave messages with a partner/friend.

### **Feedback to referrers**

Commissioners and referrers will be advised on the progress of each case at regular intervals, and will be provided with monitoring information as agreed in the Service Level Agreement and any authority signed by the client.

### **Statistical Recording**

Homemaker Southwest is committed to effective statistical recording of clients to enable us to monitor take-up of service, highlight gaps in provision, and to identify any policy issues arising from providing services.

It is the Manager's responsibility to ensure that all statistical records given to third parties, such as to funding organisations or local authorities, shall normally be produced in anonymous form, except in circumstances listed above.

### **Case Records**

It is the responsibility of all staff to ensure that all case records are kept in locked filing cabinets or on password protected IT systems. All case files/papers relating to service users must be locked away at the end of each working day. This includes note books, diaries, copies of correspondence, calculation sheets and any other sources of information.

### **Confidential Waste**

Any printed materials which contain client details which are no longer required must be disposed of promptly in the secure shredder.

Printed materials which contain client details must not be reused as 'scrap'.

### **Fraud Act**

The Social Security Administration (Fraud) Act 1997 came into effect on 1<sup>st</sup> July 1997. Under the Fraud Act staff must not knowingly assist in any way with a fraudulent claim. If a client admits to making a fraudulent claim or if staff suspect that a claim may be fraudulent, we may if required by law pass details to the Benefit Agency otherwise we will adopt the following procedure:

- Explain the legal implications to the client and possible consequences.
- Record that they have passed on this information.
- Make it clear that the client has a duty to disclose any change of circumstances.
- If the client wishes to continue to receive a service from Homemaker but is unwilling to give notification of their change in circumstance, staff will consult their manager to consider ceasing to advise or assist the client with any claim.

### **Legislative Framework**

Homemaker Southwest will do its best to ensure that it keeps up with changes in legislation and may if necessary seek specialist advice from time to time monitor this policy to ensure it meets statutory and legal requirements including the Data Protection Act, Children Act, Protection of Vulnerable Adults, Rehabilitation of Offenders Act and Prevention of Terrorism Act.

### **Ensuring the Effectiveness of the Policy**

Existing and new workers will be introduced to the confidentiality policy via induction and training, and monitored via supervision. It will be regularly reviewed.

Date policy reviewed and approved: January 2016

Date for next review: January 2017

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