



FIFE MEN PROJECT

CONFIDENTIALITY POLICY

1. Introduction

Fife Men Project recognises that confidentiality is of the greatest importance both to service users and to the Agency itself. Without it, Fife Men Project cannot do its work properly. A “service user” is anyone approaching the service for help, advice or information.

This confidentiality policy starts by recognising that the service user has a basic right to know that Fife Men Project recognises, and will respond to, his/her interests and wishes.

Service users have the right to be confident that:

- i) information they give will only be used for the purpose for which it was given and will not be shared with anyone outside Fife Men Project without the consent of the service user.
- ii) every effort will be made to ensure that records are kept so as to avoid service users being easily identified from any written records, and that all records will be securely stored.

Information disclosed by the service user will be treated as confidential to Fife Men Project and not to the individual worker/volunteer or counsellor.

Where Fife Men Project wishes to -- or has been requested to - disclose information to a third party, then the full and informed consent of the service will be required.

The service user has the right to withhold consent for the release of any or all information. If consent is withheld then information will not be shared with a third party, except in exceptional circumstances, which include issues of abuse of self or others, instruction of a sheriff, threatening or criminal behaviour.

Even where information is given by the service user in the knowledge that it will not remain confidential to Fife Men Project, it will still be made clear to the service user what information will be passed on and who will receive it.

Fife Men Project does not operate a policy of complete confidentiality. There are two main exceptions to the requirement to maintain confidentiality. These are:

- i) When there is concern that a user of the service is putting a third party/individual at risk (especially when that individual is a child);
- ii) When instructed by the courts - or designated officers of the courts - to reveal information.

2. Confidentiality between Agency Staff

Information about service users is confidential to Fife Men Project as a whole, and not to individual workers.

It is essential that all workers within Fife Men Project understand and support confidentiality.

Not all workers will have equal access to confidential information. Information is to be shared only on a “need to know basis.”

Confidentiality should extend to the worker’s knowledge of all service users.

Discussion of service users with colleagues should always be purposeful and sensitive.

Fife Men Project is committed to making this Policy work through staff training and instruction of personnel; appropriate administrative arrangements; and the provision of the necessary resources and equipment.

All staff have a responsibility to ensure that service users understand the confidentiality procedures and are aware if they change for any reason.

3. The Release of Information to Third Parties

There are some circumstances in which information may be shared with outside organisations:

Referring Agencies -

Fife Men Project will seek to agree with the service user - at the earliest possibility - what, if any, information will be released to an Agency or individual who has referred them, if the service user consents to information being shared.

Self-referrers -

Where the service users are self-referred, information will not normally be shared with a third party. If it becomes necessary to share information outside Fife Men Project, every effort will be made to ensure the full and informed consent of the service user.

Carers -

Fife Men Project will not release information of any kind to partners, relatives or friends of the service user, without the service user's consent.

Onward Referrals -

Where the service user has requested that Fife Men Project makes contact with another organisation, for whatever purpose, staff will ascertain what information will be required by that organisation and seek the service users consent before proceeding.

In all cases of release of information to third parties, staff have a responsibility to see that the service user is clear about the consequences of disclosure.

4. Employment Practice:

It is essential that all staff understand and support this Confidentiality Policy.

Fife Men Project will therefore ensure that:

- i) Staff are properly trained and competent
- ii) Staff induction includes familiarisation with the Policy
- iii) Staff receive training & support throughout their employment

Staff should never discuss service users outside Fife Men Project, or otherwise act in a manner that threatens an individual's confidentiality.

Within Fife Men Project, all discussion of service users should be purposeful and not trivialising; and never within the hearing of other service users.

All Fife Men Project workers/volunteers, paid or unpaid, will be required to sign a confidentiality contract.

Anyone working for the Fife Men Project (in any capacity) who breaches this contract will be liable to disciplinary action.

5. Recording & Storage of Information

At the earliest opportunity Fife Men Project staff should discuss with the service user the scope of the information it intends to keep and will explain why this is necessary.

Records and case-notes should be accurate with a clear distinction between the fact and opinion.

Records should contain as little information as possible capable of identifying the service user directly or indirectly.

All service users have a right of access to their own records in accordance with:

- i) the Data Protection Act 1984
- ii) the Access to Personal Files Act 1988
- iii) the Access to Health Records Act 1990

However, service users will not have access to any information held by Fife Men Project which is provided by a third party unless consent has been given by that third party.

Recorded information, either in paper or computer data, will be held in secure and private storage.

Fife Men Project will abide by the letter and the spirit of the Data Protection Act 1984.

Movement of information on service users outside those areas in which it is kept secure will be avoided as far as possible.

Records will be kept for a maximum period of five years after the last service user contact; after which they will be destroyed.

6. Planning, Research & Publicity

Information used by Fife Men Project for planning will be presented as statistics, or in some other form which prevents individual service users from being identified.

Where information about specific service users is used for publication in Fife Men Project reports or appropriate journals, this will only be with the service users prior permission.

In all circumstances, the service user's anonymity will always be preserved.

Service users will not be the subject of research or have information about them or photographs of them used in publicity material without their prior consent.

Any approach to the service user (via Fife Men Project) by researchers or media representatives will be treated with the utmost caution.

Fife Men Project will on occasion undertake to brief certain appropriate service users regarding such an approach in order to allow the service user to decide whether he/she is prepared to be the subject of an inquiry/interview.

Fife Men Project will warn the service user that neither he/she nor Fife Men Project may have control over the researcher's or media representative's final material and that there is the possibility that confidentiality will be breached.

Fife Men Project will also discuss with the service user any potential long-term implications should they agree to take part.

Fife Men Project will reserve the right not to provide this service for researchers or journalists where the intention is not thought to be appropriate to service users' needs or to the reputation of Fife Men Project.

Where a service user declines to be the subject of an interview or a piece of research of any kind this will not affect the standard of service provided to him/her by Fife Men Project.

7. Breach of Confidentiality

Fife Men Project does not operate a policy of absolute confidentiality. There are two main exceptions to the requirement to maintain confidentiality. These are:

- i) When there is concern that a user of the service is putting a third party/individual at risk (especially when that individual is a child);
- ii) When instructed by the courts - or designated officers of the courts - to reveal information.

Where it appears that confidentiality may have to be breached, Fife Men Project will make every effort to discuss the situation with the service user (unless there is good reason to believe that this would make the situation worse).

Fife Men Project staff will thus encourage the service user to take responsibility for contacting the relevant authorities him/herself.

Where the service user is unwilling to take action, the decision to breach confidentiality will be taken by Fife Men Project and not by the individual staff member.

No Fife Men Project staff member will breach confidentiality without full consultation with (and written permission from) his/her line manager or supervisor.

Where it is proposed to breach confidentiality without consulting the service user, no action will be taken without full consultation with (and written permission from) the Executive.

Any breach of confidentiality will be minimised by restricting the information released to that which is strictly necessary to remedy the immediate situation.

A careful note of the circumstances will be made as part of the case record. The note must show:

- i) the extent of the disclosure;
- ii) to whom it was made and when;
- iii) the reason for disclosure;
- iv) who was consulted beforehand;
- v) whether the service user was informed;
- vi) how and when they were informed.

If the person receiving the information agrees to certain conditions about how it should be used, a note should also be made of this.

If the service user feels that his/her right to confidentiality was not respected by the Fife Men Project then he/she has a right to make a formal complaint using the standard procedure; copies of which are available from any staff member.

He/she may also be able to make a complaint through the standard procedure of the major funding organisation of the Fife Men Project - Fife Health Board - or may be able to take legal action.

Where a service user complains about a possible breach of confidentiality (as with complaints in respect of any other matter), this will not affect the standard of service he/she is offered by Fife Men Project.

Signed

**A.Deary
Chair, Fife Men Project.**