

# BIRMINGHAM & SOLIHULL WOMEN'S AID

## CONFIDENTIALITY POLICY

Birmingham & Solihull Women's Aid's (BSWA) Confidentiality Policy has been developed within the framework of existing legislation including the Data Protection Act 1998 and the Human Rights Act 1998. Service Users are provided with BSWA's Statement on Data Protection as a supplement to this policy.

The purpose of this Policy is to ensure that all women accessing BSWA's services have a full and accurate understanding of their rights and responsibilities in relation to confidentiality. The Confidentiality policy will be explained to all service users and a copy of the policy may be given to service users as part of the introduction session or if it is requested by them.

Confidentiality is a means of providing the service user with safety and privacy. It is the responsibility of every member of staff to ensure confidentiality is maintained.

All work that takes place between a member of staff (paid or voluntary) and a service user must be treated with respect and discretion. The personal circumstances of each service user will be classed as confidential to all but relevant and necessary staff members.

This policy should be read in conjunction with BSWA's Records Management Policy

### **Information about Service Users to other organisations**

Information about a service user will not be discussed with or disclosed to other organisations. This would include information disclosed to social workers, health visitors and the police. The only exceptions to this would be where either the service user has given consent for the worker to carry out discussions or disclosures or in exceptional circumstances as detailed below (*Limitations to confidentiality*).

In some projects service user information may need to be disclosed to the funding body in order that BSWA continues to receive its' funding. Where this is the case staff will make it clear to women when they agree to the service what sort of information may be required e.g. name, address, date of start / end of service. All service users will be asked to sign a confidentiality disclaimer at the start of any engagement with BSWA services

Funders may also request to review and monitor the quality of support being offered to women in receipt of a service. BSWA will ensure this is done through access to anonymised Individual Support Plans, which have been devised by the worker in close consultation with the service user. These documents will only be shown to funders with the service user's consent and will never contain a service user's personal details.

### **Information about Service Users to other Service Users**

Information about a service user will never be discussed with other service users. Where service users come together as a group (such as at refuge or in group work) service users will be encouraged to respect each other's confidentiality and may be asked to sign a confidentiality agreement.

### **Limitations to confidentiality:**

On occasions, exceptional circumstances may arise where it may become necessary to breach a service user's confidentiality without her permission. The circumstances where this may arise would be:

- a) If the worker has information either directly, indirectly or inferred that a child or children may be at serious risk of harm.  
Further information on this can be found in BSWA's Safeguarding Children Policy.
- b) If the worker has grounds for serious concerns regarding a service user's physical or mental health or well being. (More information on these issues can be found in BSWA's Safeguarding Adults, Suicide and Self Harm policies).
- c) If the worker believes that the client may cause serious physical harm to herself or others, or have harm caused to her.
- d) If the worker has good grounds for believing that the service user is no longer able to take responsibility for her own actions.

In all but emergency situations, a decision to breach confidentiality without consent, will only be made after consultation with a senior member of staff.

### **Cross Project Confidentiality**

It may, on occasion, be necessary to share certain information between BSWA projects, in the interests of the organisation. Service users will be informed if this is to happen and a record kept on the service user's case notes.

### **Confidential records and information:**

Birmingham & Solihull Women's Aid will keep a record of all women who access BSWA services. Service users have the right to have access to their files on request excepting access to restricted information. All paper files will be kept securely on BSWA premises in locked storage cabinets. Confidential information containing identifying data will not be removed from BSWA premises without the permission of a senior manager

BSWA manages an electronic database which contains details of all service users accessing BSWA services. The data base is used for collating data, service monitoring, evaluation and statistical purposes. Access to BSWA's database is restricted to key personnel and is subject to rigorous safety restrictions to prevent unauthorised personnel accessing it. Anyone found

accessing the database without authorisation to do so will be subject to disciplinary action in line with BSWA's disciplinary procedures.

See BSWA's Records Management Policy for further detail

### **Breach of Confidentiality**

BSWA takes breaches of confidentiality extremely seriously. Where a service user feels that confidentiality has been breached for reasons other than those stated above, she has the right to make a formal complaint against those persons involved. In order to do this Birmingham & Solihull Women's Aid encourages women to use the BSWA Complaints Procedure. Anyone found breaching confidentiality without authorisation may be subject to disciplinary action in line with BSWA's disciplinary procedures.