

**CONFIDENTIALITY OF SERVICE USER INFORMATION GUIDANCE FOR ALL
STAFF WORKING IN THE NORTHERN IRELAND AMBULANCE SERVICE
HEALTH AND SOCIAL CARE TRUST**

A revised Code of Practice on Protecting the Confidentiality of Service User Information has been communicated throughout the Health and Social Care family for many years. The code is aimed at supporting staff in making good decisions about the protection, use and disclosure of service user information. The original Code was issued in 2009. This Code of Practice has been adopted by the Northern Ireland Ambulance Service Health and Social Care Trust to support the information governance framework.

The Code of Practice should be a reference point for all staff.

If you are unsure about whether to share user information with others, ask your Line Manager or contact the Corporate Manager for further advice or guidance and if necessary have the issue drawn to the attention of the Personal Data Guardian and Caldicott Guardian (Medical Director)

DUTY OF CONFIDENTIALITY

The use and sharing of service user personal information forms an essential part of the provision of health and social care. It benefits service users, enables health and social services to function effectively and it is often necessary in the public interest. However, the essential nature of such uses needs to be set alongside the legal duty to keep all personal information confidential.

The relationship between health and social care staff and service users should be one of fidelity and trust. Service users have a legitimate expectation that private information will be used or disclosed without their knowledge and consent. All health and social care staff therefore have strong legal and ethical obligations to protect service user information. The right to confidentiality is guaranteed partly by the Data Protection Act 1998, partly by the Human Rights Act 1998 and partly by principles established by Judges on a case by case basis ie the common law. In addition there are ethical standards which staff within health and social care are obliged to abide by. Disciplinary consequences may follow if there is a breach of ethical standards.

Service users' right to privacy and the staff's duty of confidentiality apply regardless of the form in which information is held or communicated, for example electronic, paper, photographic etc. Particular care is needed on the part of health and social care to ensure that the right of confidentiality of vulnerable people – especially children and adults with incapacity is respected.

SHARING OF INFORMATION FOR DIRECT CARE

The information service users provide often needs to be shared with other people involving in providing care. For example, as a Paramedic or EMT you will complete a Patient Report Form and provide this to receiving healthcare professions so they know what clinical and medical assessments and interventions have been undertaken pre-hospital. Such sharing is an essential part of the provision of many aspects of modern health and social care which depend on the involvement of professionals working in teams and applying their own expertise to enhance care. That said, information should be shared only if this is necessary to provide appropriate care.

USING SERVICE USER INFORMATION FOR OTHER HEALTH AND SOCIAL CARE PURPOSES

In many circumstances it is extremely beneficial for the health and social care system as a whole to be able to use information about individuals, for example in the efficient planning of how to provide services, the proper maintenance of accounts, the provision of appropriate training of staff to adequate monitoring of the outcomes of treatments. In all circumstances information should, wherever possible, be anonymised or code in some way to conceal identity. If it is not possible to conceal identity, information can normally only be used if service users have provided their consent.

DISCLOSING INFORMATION IN THE PUBLIC INTEREST

There may be other times when the law allows disclosure of service user information because it is very much in the public interest to do so. For instance, disclosure may become necessary to reduce the chances of someone suffering harm and who is at risk, especially if that person is a child or other vulnerable person; to enable alleged misconduct by health and social care staff to be investigated or to protect the general public.

USEFUL INFORMATION

Code of Practice on Protecting the Confidentiality of Service User Information
<https://www.dhsspsni.gov.uk/publications/dhssps-code-practice-protecting-confidentiality-service-user-information>

Personal Data Guardian/Caldicott Guardian

Medical Director

Email: medicalsecretary@nias.hscni.net

Senior Information Risk Owner – SIRO

Director of Finance and ICT

Email: finance.secretary@nias.hscni.net

Information Management Department

Corporate Manager

Email: alison.vitty@nias.hscni.net

Privacy Advisory Committee. The Committee was established in 2006. Part of its role is to provide advice on the protection, use and disclosure of service user information.

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