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|  | EnViva Complex Care Policies and Procedures | | |
| | TITLE: CONFIDENTIALITY POLICY | | |
| Ref Number:PP/CO7 | Date Approved: May 2018 | Review Date: May 2020 | Version:PP/CO7.1 |

1. References:

- Data Protection Act
- NHS Guidance
- Caldicott Principles
- Safeguarding Policy
- Consent to Treatment and Sharing of Relevant Information Policy
- Disciplinary Procedure
- Information sharing policy
- Internal Audit Procedure

2. Scope:

- All Staff

3. Policy Statement:

All clients have an absolute right to privacy and confidentiality. In the course of its business employees of EnViva Complex Care have sight of certain privileged information. This must be kept confidential at all times and such information shall not be disclosed to any unauthorised third party without the express consent of the client.

Similarly, employees in the course of their employment are made aware of certain commercial information about the company. This must be kept confidential at all times – even after the employee has left EnViva Complex Care.

4. Overview:

Much of our work is of a strictly confidential nature. Our success depends on ensuring that information relating to our clients, business and systems and those of our clients, customers and agents is protected. Further, we have a reputation for conducting our business in a responsible and ethical manner. All employees are expected to protect such confidential information, and in their actions, demonstrate their respect for our corporate values.

Confidential information regarding clients is supplied on a need to know basis only. You should not discuss any aspect of any client’s care, their condition, medication, personal circumstances, possessions or details with anyone unless they have a right and need to know. Reasonable steps must be taken to establish the identity and position of any person to whom you may need to reveal client confidential information and to protect the identity of the client. There are occasions where it is necessary to share information with other professionals involved in the client’s care provision. This will only be done with the client’s best interests in mind, and will focus upon the following circumstances:

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- For the express purpose of developing an appropriate support plan for that client or associated continuation of that support
- The Company will regularly have professional dialogue with Local Authorities or other commissioning parties for the benefit of the client
- In the cases of emergency, the Company may call the emergency services and provide these services with relevant personal information
- Where the client has particularly requested certain information to be divulged to a third party. In such cases appropriate notes must be made on the client’s record, together with a signed record of authorisation from the client or his/her advocate

When transferring information between other Healthcare Professionals it will be clearly defined and scrutinised, with continuing uses regularly reviewed by the most appropriate person.

5. The Procedure:

Confidential Information includes (but is not limited to) all and any information (whether recorded in documentary or electronic form or on computer disk or tape) relating to the following:

- Business methods
- Terms and conditions of employment
- Business policies and procedures
- Plans
- Management systems
- Finances
- Clients and agents
- Maturing new business opportunities
- Marketing and research and development projects
- Names, addresses, telephone numbers, personal circumstances and possessions
- Condition, care plans and medications
- Identities of clients and potential clients and information concerning their needs (which is not otherwise already in the public domain)
- Any other information of a commercially sensitive nature to us, our agents, clients or potential client.

Confidentiality

In order to protect the interests and rights of our clients, our employees and the Company, all employees working with EnViva Complex Care agree that they will not use, divulge or communicate to any person, firm or organisation (except in the proper course of their duties during their employment by the Company) any of the trade secrets or other confidential, technical or

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commercial information of the Company relating to the business, organisation, accounts, analysis or other affairs of the Company which they may have received or obtained while working for the Company. This includes:

- Any information relating to the trading position of the Company including in particular names of suppliers, clients or customers
- Any document or item marked as confidential
- Any information relating to the business processes, work patterns, terms and conditions of employment and care planning

In particular, all representatives of the Company will not, without the prior written consent of the Company, permit any confidential information:

- To be disclosed, whether directly or indirectly, to any third party, except to those authorised by the Company to know or as required by law; or
- To be copied or reproduced in any form or to be commercially exploited in any way; or
- To be used for your own purposes or for any purposes other than those of the Company or to be used or published by any other person; or
- To pass outside of their control

This restriction will continue to apply after the termination of your employment but will cease to apply to any information which may come into the public domain through disclosure by the Company.

If there is any doubt in your mind about security of confidential information or you believe this policy has been breached, you should immediately seek the advice of the Data Protection Officer.

The wrongful disclosure of confidential information or other breach of confidentiality is a disciplinary offence. Depending on the seriousness of the offence, it may amount to gross misconduct and could result in summary dismissal.

| Procedure Review | | |
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| Review Date | Sections changed | Reasons |
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