

HALLAM UNION ADVICE CENTRE

CONFIDENTIALITY PROCEDURE

1. Purpose of Confidentiality Procedure

1.1 The Advice Centre is committed to providing a confidential service to its users. The Advice Centre believes that its users deserve the right to confidentiality to protect their interests and to safeguard the Centre's services. The only disclosures permitted will be with the express prior consent of the user, with certain exceptions which are detailed below.

1.2 The following notice will be displayed in the Advice Centre:
The Advice Centre offers a confidential service. We will not reveal information about you to any other organisation or individual without your express permission.

There are rare occasions when we are required to breach confidentiality. These are:

- **when there is a danger to you or to others**
- **when not doing so would be breaking the law, e.g. under the Prevention of Terrorism Act**
- **when the Advice Centre discovers that it is advising both parties to a dispute and needs to disclose the fact in order to avoid a conflict of interest. We cannot advise both parties to a dispute.**

Please ask for a copy of our confidentiality procedure for more details.

2. Definition of Confidentiality

2.1 The Advice Centre understands confidentiality to mean that no information regarding a user shall be given directly or indirectly to any third party which is external to the Advice Centre. All users should be able to access the Centre's services in confidence and no other person should know that they have used the Advice Centre.

2.2 Confidentiality is defined as confidentiality within a team. For this reason, Advisers should never promise a client that they will not discuss the case with other members of the Advice Team. The Advice Team includes all advisers, Senior Caseworker, Advice Centre Manager and the Advice Centre Information Co-ordinator. Any temporary staff working in the Advice Centre are also bound by this confidentiality policy.

2.3 The Advice Centre recognises that information may be indirectly given out through staff informally discussing cases. All staff should ensure that no discussions relating to an individual user of the Advice Centre take place outside of the Advice Centre premises. The Sabbatical Officers will not receive details of individual users or their cases.

2.4 The Advice Centre recognises that users need to feel secure in using the Advice Centre's services in a confidential manner. The Advice Centre will ensure that all users are afforded confidential interview space and will ensure that a radio is used to prevent an inadvertent breach of confidentiality.

2.5 Adviser should only make and receive telephone calls where client information will be discussed when the door to their office is closed.

HALLAM UNION ADVICE CENTRE

- 2.6 The Advice Centre will not confirm the user's presence in the Centre, or use of the Centre without obtaining the user's consent.

3. Case Recording

- 3.1 The Advice Centre is moving over to an electronic case recording system and any reference to casefiles should be taken to mean paper or electronic. The electronic case recording system is accessed by password and stored on a secure server by the system provider.
- 3.2 All case files must be kept in locked room. All case records and information relating to service users must be locked away at the end of the day. This includes note books, copies of correspondence, calculation sheets and any other sources of information.
- 3.3 Confidential waste must be placed in the appropriate file in the administration section of the filing cabinet. It should be shredded at regular intervals.
- 3.4 Advisers must take particular care that clients are not able to read confidential material relating to other clients whilst they are in the adviser's office. Confidential material must be deleted from the adviser's computer files when it is no longer needed.
- 3.5 Clients may see their files at any time. Should clients wish to keep materials or to show them to other people, a copy can be made of the case file. The original will be retained in the Advice Centre.
- 3.6 Case records will be archived and kept confidentially for 7 years. They will then be destroyed.

4. Statistics

- 4.1 The Advice Centre is committed to effective statistical recording of service users to enable the Advice Centre to monitor take-up of its service and to identify any policy issues arising from the advice services. These statistics do not record individual user's names or details.
- 4.2 The Advice Centre will provide reports and briefing papers for the Officer Committee so that they can effectively campaign to promote, defend and enhance the rights of students. Any summation of a case which may be used for this purpose will be done in a manner that will not identify the client.

5. Express Consent to Give Information

- 5.1 It is the responsibility of advisers to ensure that where any action is agreed to be taken by the Advice Centre on behalf of a client, that the client should first sign an authorisation slip. This should be placed on the client's file.
- 5.2 Advice Centre workers are responsible for checking with clients if it is acceptable to call or to write to them at home or at work in relation to their case. Workers should be careful not to reveal that the client has used the Advice Centre when leaving messages for a client.

HALLAM UNION ADVICE CENTRE

- 5.3 Clients should be made aware that their records may be audited for quality review purposes. They must give express consent for this to happen and their consent be recorded on the case file.

6. Reception

- 6.1 It is important that the Advice Centre has a confidential reception policy. The Advice Centre Information Co-ordinator will become party to confidential information about individual users and they have a responsibility to uphold the confidentiality of the user.
- 6.2 Advice Centre users will wait together in the reception area. The Information Co-ordinator must ensure that clients do not discuss cases and must not discuss cases with the clients, even if the client initiates the discussion. The Information Co-ordinator must also make sure that any confidential material that they are working on, e.g. day sheets, filing, letters, is not visible to waiting clients and is never left unattended.
- 6.3 When taking messages, all workers must take care not to repeat details that could be overheard. Instead, the caller should be asked to repeat or spell any difficult words. Telephone numbers of clients should not be repeated. The message book and diary should be kept closed and should be locked away at the end of the day.
- 6.4 Incoming mail may contain confidential information. Advice Centre mail should only be opened in the Advice Centre by Advice Centre staff. In order to avoid incoming mail being wrongly directed within the Union, Advisers should include the following at the bottom of each letter sent:

**Please address all correspondence to
Advice Centre, The HUBS, Paternoster Row, Sheffield, S1**

7. Breaches of Confidentiality

- 7.1 The Advice Centre recognises that occasions may arise where the individual advisers feel the need to breach confidentiality. These would be:
- when there is a danger to the client or to others
 - when not doing so would be breaking the law, e.g. under the Prevention of Terrorism Act
 - when the Advice Centre discovers that it is advising both parties to a dispute and needs to disclose the fact in order to avoid a conflict of interest.
- 7.2 The Advice Centre understands that any breach of confidentiality may damage the reputation of its services and therefore has to be treated with the most serious of approaches.
- 7.3 On occasions where an adviser feels that confidentiality should be breached, the following steps should be taken.

HALLAM UNION ADVICE CENTRE

- The adviser should raise the matter immediately with the Senior Caseworker or Advice Centre Manager. They must discuss the issues involved and explain why confidentiality should be breached and what would be achieved by breaching confidentiality. A written note should be made of the discussion and kept with the case file.

 - A full written report should be made by the Senior Caseworker or Advice Centre Manager and the Assistant General Manager informed. In discussing the case with the Assistant General Manager, it should be ensured that confidentiality is not breached in doing so.
- 7.4 If there is an immediate threat to the safety of the client or others and it is not possible to consult the Senior Caseworker or Advice Centre Manager, then all those involved in the above procedure should be notified as soon as possible.
- 7.5 Any complaints arising from a breach of confidentiality shall be dealt with through the Advice Centre complaints procedure.

8. Review of Policy

- 8.1 This policy will be reviewed annually. The Advice Centre Manager is responsible for ensuring that the review takes place, although the work may be delegated to another adviser. The reviewer will ensure that the policy meets statutory and legal requirements including the Data Protection Act, Children's Act, Rehabilitation of Offenders Act and Prevention of Terrorism Act.

Date Adopted: Aug 04

Last Review: Mar10

Next Review: May 11