CONFIDENTIALITY

1. PURPOSE

As an organisation within the private sector, Aberness Recruitment Agency must comply with the Privacy Act 1988 and with the December 2000 amendment regulating how we can collect, use, keep secure and disclose personal and sensitive information. Privacy Amendment (Private Sector) Act 2000 introduced 10 national Privacy Principles which Aberness Recruitment Agency has incorporated into its systems and practises in order to be compliant with the law.

Aberness Recruitment has a Privacy Statement clearly outlining how personal information is collected and stored. This statement is given to our Clients in their Client packs and each member of staff is given a copy of this at induction.

Aberness Recruitment Agency recognises that employees use information about the people they care for within healthcare settings and also the Clients during the course of their work. In most cases information will not be stated as confidential and it will be necessary to use common sense and discretion in deciding whether information is expected to be confidential. This policy aims to give guidance but if doubt, employees should seek advice from their line managers.

2. SCOPE

This policy applies to all employees within Aberness Recruitment Agency.

3. POLICY

a. Employees are able to share information with their line managers where necessary to discuss issues and seek advice.
b. Employees should avoid exchanging personal information about individuals with whom they have a professional relationship.
c. Employees must not discuss the affairs of Aberness Recruitment Agency, Clients or Service Users with anybody unless they have specific and verifiable permission to do so.
d. Employees must not purposely seek to obtain confidential information about Aberness Recruitment Agency, Clients or Service Users out with their job role.
e. It is not appropriate to discuss a person's sexuality without their prior consent.
f. Employees should avoid talking about organisations or individuals in social settings
g. Employees will not disclose to anyone, other than their line manager, any information considered sensitive, personal, financial or private without the knowledge or consent of the individual or a manager, in the case of a Client/Organisation.
h. If it is necessary to discuss difficult situations with each other to gain a wider perspective on how to approach a problem, the organisation's consent must be sought before personal information enters into the discussion, unless it is beyond doubt that the organisation would not object to this. Alternatively, a

discussion may take place with names and identifying information remaining confidential.

i. Where there is a legal duty on Aberness Recruitment Agency to disclose information, the person to whom the confidentiality is owed will be informed that disclosure has or will be made.

4. WHY INFORMATION IS HELD

Most information held by Aberness Recruitment Agency relates to Clients who use us and Employees who work for us.

Information held on Clients is kept within a locked cabinet and holds specific information:

a) Risk assessment that is carried out prior to Aberness Recruitment Agency supplying staff
b) Documentation of all client visits
c) Latest Care Inspection Report
d) Any other correspondence

Information held on Clients is only used for our own purposes and not disclosed to anyone else. The Care Inspectorate or any of our regulators have access to these files only.

Information held on Employees is kept within a locked cabinet and holds specific information:

a) Application form and payroll information
b) Identification
c) Health Questionnaire
d) Interview form
e) Contract of Employment
f) Training, supervisions and appraisal
g) Any other correspondence

Information held on Employees is only used for our own purposes and only disclosed to Clients who use our services. Information shared is generally an Employee's personal profile of their training records and qualifications, including PVG details and recruitment information. This also has a picture of the employee.

General non confidential information about organisations is kept in unlocked filing cabinets with open access to all Aberness Recruitment Agency employees.

5. ACCESS TO INFORMATION

Information is confidential to Aberness Recruitment Agency and may be passed to Clients, line managers and Service Users only to ensure the best quality service.

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Where information is sensitive i.e. it involves disputes or legal issues, it will be confidential to the employee dealing with the case and their line manager. Such information should be clearly labelled 'Confidential' and should state the names of those entitled to access the information and the name of the individual or group who may request access to the information.

Employees of Aberness Recruitment Agency will not withhold information from their line manager unless it is purely personal.

Clients and Employees have the right to access any personal information held on them within Aberness Recruitment Agency. The request for this information must be in writing to the Director giving 14 days' notice and be signed by the person making the request. Sensitive information will only be made available to the person or Client named on the file.

When photocopying or working on confidential records, office staff must ensure they are not accidentally seen by others. This also applies to information on computer screens.

6. DUTY TO DISCLOSE INFORMATION

There is a legal duty to disclose some information which include:

- Adult abuse both verbal and physical
- Drug abuse or trafficking and money laundering

If employees believe that an illegal act has taken place, or that someone is at risk of harming themselves or others, they must report this to their line manager who will report it to the appropriate authorities.

7. DISCLOSURE SCREENING

Aberness Recruitment Agency has a Disclosure Screening Policy.

8. DATA PROTECTION ACT

Information about Clients and employees of Aberness Recruitment Agency, whether on computer or on paper, falls within the scope of the Data Protection Act and must comply with the data protection principles. Personal data must be:

- Obtained and processed fairly and lawfully.
- Held only for specified purposes.
- Adequate, relevant and not excessive.
- Accurate and up to date.
- Not kept longer than necessary.
- Processed in accordance with the Act.
- Kept secure and protected.
- Not transferred out of Europe.

9. BREACH OF CONFIDENTIALITY

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Breach of confidentiality may lead to disciplinary action being taken against an employee of Aberness Recruitment Agency. These may include:

1. Disclosing any details or information gained on assignments concerning a service user or Client
2. Disclosing information of your salary to anyone not connected with Aberness Recruitment Agency.
3. Disclosing personal details without first obtaining consent from relevant person.
4. Giving out information gained on one assignment to another.
5. Disclosing any details of private conversations with line managers.
6. Disclosing any information concerning the running of Aberness Recruitment Agency.
7. Disclosing any personal/private information gained concerning any other agency employee.
8. Attempting to falsely discredit the reputation of Aberness Recruitment Agency in any manner.
9. Attempting to falsely discredit the reputation of any Aberness Recruitment Agency employee.

This list is not exhaustive. All employees should be aware that when working on an assignment , if any information is divulged concerning any aspect of that assignment, employees will not only be in breach of Aberness Recruitment Agency's policy on confidentiality but also the local policy of the place they are working. This could result in action being taken against you by their management or the Service User or the Service User's representative.

All Aberness Recruitment Agency staff are asked to sign a confidentiality statement when completing their application form, prior to employment. This statement is kept in their files as a record of their agreement to maintain confidentiality.

RESPONSIBILITY

All those persons referred to within the scope of this policy are required to be familiar with the terms of this policy.
Maintenance, regular review and updating of this policy is conducted and agreed by the Director. Revision, amendments and alterations to the policy can only be implemented following consideration and approval by the Director of Aberness Recruitment Agency.