

Staff Guidance on Data Sharing

Template Version 3

**This guidance is relevant to staff who have responsibility for care or personnel records. The guidance should match the procedures you have in your organisation and should be supported with proper training. This is designed to sit alongside the Data Protection and Record Keeping policies and may be included in your staff handbook.**

**You can download and adapt it to suit your organisation’s needs.**

1. Introduction

It is important to know what information should be shared and what needs to be kept confidential. You will receive training on proper data sharing as part of your induction and there will be training updates every year. If you feel like you need more training on this topic, or have any questions, please speak to your line manager.

1. What kind of data must be kept confidential?

At your job, you might have access to lots of different types of confidential information such as: medical or care records, payroll details, staff sickness, if someone has a criminal record, personal information and many others!

You can access this information in lots of ways: email, fax, computer files, paper records, and even through a conversation – either on the phone or in person.

Even confidential information can be shared with the right people. For example, you should share information about the people you care for with other health and care professionals if it is necessary for their care.

1. When can you share information?

It is important to consider the type of information and why you need to share it. For example, if you have details of somebody’s medical condition and their GP requests this information so that they can provide care, that’s a good reason to share.

It might be helpful to consider the 7th Caldicott Principle when deciding whether to share information.

Principle 7: The duty to share information for individual care is as important as the duty to protect patient confidentiality

Health and social care professionals should have the confidence to share confidential information in the best interests of patients and service users within the framework set out by these principles. They should be supported by the policies of their employers, regulators and professional bodies.

You can find the Caldicott Principles here: <https://www.ukcgc.uk/manual/principles>

In general, you should ask yourself why you are sharing information and if it is necessary to do so.

* If you are a carer does the receptionist need to know the details of someone's condition?
* If you work in reception should you be telling people why a member of staff is off sick?

If you are ever unsure it is better to check with your line manager.

1. How do we share information safely?

As an organisation, we have policies in place to make sure that we always share information safely – no matter how this information is shared. You need to follow our policies as part of your job. If you do not, you might face disciplinary action.

* 1. Face- to-face conversations
* Make sure the person you are talking to has a right to the information they are asking for;
* Always ask if they would rather have private conversations in a private room;
* Always be aware of the risk that other people might overhear private conversations and make steps to prevent that from happening.
	1. Telephone Conversations
* Always confirm that the person is who they say they are;
* Only provide information that the person has a right to know;
* Be aware of who else can hear your phone call and make sure other people do not eavesdrop on your confidential call.
	1. Posting information
* Please provide any confidential information which needs to be posted to ***insert name here if applicable***;
* All confidential information must be posted to a named individual and marked as “Private and Confidential”;
* All confidential post will be sent as a signed-for delivery.
	1. Receiving faxed information
* As soon as a fax is received it must be removed from the machine; note that this is particularly important if your fax machine is in a public area
* Where necessary, contact the person who sent the fax to confirm that you have received it;
* Safely store the fax in the correct place as soon as possible.
	1. Sending information by fax
* Always double check the fax number before sending;
* Use a fax cover sheet which is marked "Private and Confidential";
* Only send faxes to a named person, not to a team;
* Tell the recipient that you are sending a fax and ask them to confirm receipt;
* Do not send faxes outside of the receiving organisation’s working hours;
	1. Emailing information

Your staff should only be sending confidential information via email if [**you have secure email**](http://www.digitisingsocialcare.co.uk/get-help-set-and-use-technology/setting-and-using-secure-email). If you do not, you should say:

* Never send personal confidential via e-mail.

If you do have access to secure email, you should add your policies here.

* 1. Other methods of sharing information

This might include USB memory sticks, CDs, DVDs etc. Make sure what you include here matches your Record Keeping Policy.

1. Case Studies
	1. Case Study 1

You overhear two other members of staff talking about an individual you provide care to in the supermarket. What should you do?

1. Join in. They may have information you need to know.
2. Go to your line manager and ask for them to be fired.
3. Speak to them and say that this behaviour breaches confidentiality.
	1. Case Study 2

You see that another member of staff has forgotten to lock their computer and the screen is showing someone’s care record. This is not the first time. What should you do?

1. Use the computer to send some e-mails
2. Nothing. They will only be a moment
3. Lock the computer for them and report them to your line manager.
	1. Case Study 3

You notice that a fax has arrived on the fax machine with hospital discharge papers; the fax machine is in a public area. What should you do?

1. Turn the papers upside down so that no one can see them
2. Hand over the papers to your line manager and report the incident to them
3. Read the papers to see who they are talking about
	1. Case Study 4

You see a service user you know socially in A&E and you phone a mutual friend to let them know. Is this OK?

1. No, this is confidential information
2. Yes, the mutual friend would like to know
3. Yes, because my friend in A&E may like the support.
4. Answers
	1. The correct answer is (c).

If you overheard them talking, then so could anyone else. If you feel it is appropriate, this might be something you wish to raise with your line manager, especially if it happens repeatedly.

* 1. The correct response is (c).

The computer is displaying confidential information which could be a serious data security breach. You can quickly lock the computer by pressing the Windows Key + L. You should raise this with your line manager so that they can take corrective action to ensure that everyone has received training on confidentiality and so that they are aware that there could have been an incident.

* 1. The correct response is (b).

Hospital discharge papers contain confidential information which should not be left out in public spaces. Handing them to your line manager and reporting the incident means that they can take steps to ensure that this potential breach of confidentiality does not re-occur.

* 1. The correct response is (a).

Even though it is tempting, the service user’s presence in A&E is confidential information and disclosing this – even to a mutual friend! – could cause upset and distress.