



EI08 CONFIDENTIALITY POLICY

1. Policy Statement

- 1.1 Epilepsy Ireland offers a service to our members and service users where we establish trust and a working relationship with the service user. The offer of confidentiality is a means of expressing the value and respect the organisation places on the rights and integrity of individuals who use our service.
- 1.2 The organisation also recognises that there are limits to the level of confidentiality that we can offer service users and we respect our legal and ethical responsibilities relating to the sharing of information with others when appropriate.

2. Purpose

- 2.1 The purpose of the policy is to enable people who use our service and our staff team to be clear what constitutes confidentiality and under what circumstances. This allows us to provide a service which is consistent across the regions.
- 2.2 This policy also invites service users to make informed decisions relating to how much information they would like to disclose to the organisation.

3. Scope

- 3.1 The confidentiality policy provides a framework for workers and service users relating to issues of confidentiality, the circumstances of confidentiality and the occasions in which it may be breached.

4. Responsibilities

- 4.1 The CEO has responsibility to ensure the organisation operates to a standard of confidentiality and has an ethos and procedure which supports this.
- 4.2 The Director of Services has responsibility of ensuring workers are trained in the policy and procedures and are clear of their responsibilities.
- 4.3 All workers have the responsibility of ensuring that they operate according to the confidentiality policy and to make sure that the policy is available to service users and that the single page confidentiality poster is displayed in their local office.

CONFIDENTIALITY PROCEDURES

5.1 Service Users should have access to this policy and procedure

If a service user is concerned relating to levels of confidentiality being offered, this policy and procedure should be made available to them for information.

5.2 Record Keeping and Information Sharing within Epilepsy Ireland

It is the practice of Epilepsy Ireland to record our information relating to service users on a Client Management System, and also in paper format at times. This information is considered to be confidential within Epilepsy Ireland as an organisation and not confidential within one individual person or service in Epilepsy Ireland. Sensitive information relating to service users is managed in accordance with the relevant data protection and data management requirements and is protected within departments of the organisation. However, information provided to Epilepsy Ireland staff member may be shared with other members of the Epilepsy Ireland Staff team if required.

5.3 Sharing information with third parties

It is the practice of Epilepsy Ireland to share information about service users with external organisations in certain circumstances relating to legal and ethical concerns. These are outlined below. In other circumstances, personal service user information is only shared with third parties with the consent of the service user, or parent or guardian of service user, in the case of children under 18. If we are accessing other services or referring a service user on to another service, it would be standard practice to share levels of personal information with consent of the service user.

We don't share information between service users without consent. If a service user wishes to contact a second service user through Epilepsy Ireland, we may inform the second person that this is the case and if both parties consent, contact details may be shared with the two parties.

5.4 Storing Paper Files

All paper files relating to service user information should be kept in locked filing cabinets as outlined in Epilepsy Irelands' data protection policy.

5.5 Responding to queries from external persons

Epilepsy Ireland will not provide personal service user information to outside persons or groups who enquire about individuals, without the consent of the service user.

5.6 Complaints

A service user may operate the Epilepsy Ireland complaints procedure in the event that they feel that confidentiality has been wrongly breached.

5.7 Circumstances where confidentiality may be breached by Epilepsy Ireland

If someone is a danger to themselves or to others – including if people make an active threat to endanger another, or express suicidal ideation or planning, we may contact the Gardai and/or the persons GP if known.

Where a service user has harmed another person and a criminal act has, or is about to, occur, we will contact the Gardai.

Where disclosures of abuse occur or where we believe a child or vulnerable adult is at risk of abuse, Epilepsy Ireland workers will follow procedures in our child protection and safeguarding vulnerable adults policies and disclosure to the HSE and the Gardai may be required.

If we are required by law to disclose information in other circumstances (eg. Court subpoena) we will follow our legislative obligations.

If the service user has urgent medical requirements, we will provide known medical information to ambulance services if required.

5.8 Consent of the service user

Epilepsy Ireland will endeavour to ensure that in cases where disclosures of service user information which may breach standard confidentiality practices apply, we will let the service user know what we are doing and why, and encourage the service user to participate in the process when appropriate. We recognise that it is best practice to have consent of the service user, but also recognise that there may be times when this is not always possible.

6. Appendices

Appendix One: Service User Confidentiality Statement



Can we keep what you tell us confidential?

Epilepsy Ireland offers you the opportunity to share your personal information with us and we hope that we can build a relationship of trust to support you with you or your family member with their epilepsy and offer you a supportive service.

We appreciate that by keeping what you tell us confidential, we are valuing your rights and integrity. As much as is possible, we keep information about you confidential within the organisation.

However, sometimes this is not always possible. There are times that we will share your information outside of the organisation. This will be:

- If you tell us that you are a danger to yourself (feeling suicidal) or to other people (planning to harm another person) we will contact someone to help you.
- If a criminal act has occurred or is about to occur we will contact the Gardai.
- If you tell us about a child or vulnerable adult who is experiencing or is at risk of experiencing abuse, or where abuse occurred in the past, we will follow HSE Children First and HSE Safeguarding Vulnerable Adults procedures and contact the HSE and/or the Gardai as required.
- If we are contacted by subpoena (a court order) and asked for information by legal obligation we must provide this.
- If you require an immediate medical intervention and we have medical information relating to you, we will provide the ambulance service with this information.

Otherwise, we will share your information with other services only with your consent, for example if we are discussing your situation on your behalf with a medical professional or another relevant service.