



OP.3
Confidentiality Policy
V1.1

May 2022

Ver	Purpose/ Change Summary	Approved by Board	Effective Date	Next Revision
1.0	Original policy – expanded from Employee Handbook provisions on confidentiality	21/11/2016	22/11/2016	
1.1	Review and update of policy. Format changes, minor edits. Co-ordinated content with updated Employee Handbook.	24/5/2022	25/5/2022	5/2025

1. Purpose

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

2. Scope

- The confidentiality policy provides a framework for workers and service users relating to issues of confidentiality relating to service users specifically, the circumstances of confidentiality and the occasions in which it may be breached.
- The confidentiality policy should be read in conjunction with the code of conduct in the Employee Handbook.
- All information which is acquired in working with Epilepsy Ireland which is not otherwise in the public domain is deemed confidential to the organisation. Workers shall not at any time during their employment or afterwards, (unless deemed proper and in the course of their employment by their manager; or as required by law), disclose to any person any information as to the business practice, dealings or affairs of The Organisation. Nor shall they disclose details of any of the Organisation's members or service users, or any other documents and information relating to its business, which may come to their knowledge during the course of their employment/service. Employees are required to sign their agreement to the Organisation's Code of Conduct and Employee Handbook. Breaches of confidentiality will be dealt with in accordance with disciplinary procedures outlined in the Employee Handbook (disciplinary procedures).
- All information about service users obtained by workers should be considered confidential to the organisation. Such information should not be disclosed to others outside the organisation, other than in exceptional circumstances stated in this policy and with agreement of a manager.
- A Service User Confidentiality Statement will be displayed publicly in EI offices. If a service user is concerned about confidentiality, this policy should be made available to them for information in conjunction with the Confidentiality Statement (appendix 1).

Confidentiality Procedures

3. Record Keeping and Information Sharing within Epilepsy Ireland

- Epilepsy Ireland records information relating to service users on a secure Client Management System, excel files and occasionally in paper format (e.g. consent / seizure management forms etc.). This information is confidential within Epilepsy Ireland as an organisation.
- Sensitive information relating to service users is managed in accordance with the relevant data protection and data management requirements and is not accessible by all departments in the organisation.
- Paper files relating to service user information will be kept in locked filing cabinets as outlined in Epilepsy Ireland's Data Protection Policy.

- Information provided to an Epilepsy Ireland staff member may be shared with other members of the Epilepsy Ireland Staff team on occasion if deemed necessary for the delivery of appropriate services.

4. Sharing information with third parties

- Epilepsy Ireland will keep service user information confidential in keeping with our legal obligations.
- Personal service user information is only shared with third parties with the consent of the service user or their parent/guardian, in the case of children under 18. For example, if a staff member was assisting a service user to access other services, referring a service user on to another service or advocating on behalf of the user, consent will be sought to share appropriate levels of information.
- We don't share information between service users without consent. If a service user wishes to contact another 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. 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.

6. Complaints

- A service user may make a complaint through the Epilepsy Ireland Complaints Procedure if they feel that confidentiality has been wrongly breached.

7. Limits / exceptions to Confidentiality

- Where a service user is a danger to themselves or to others – including making an active threat to endanger another, or expressing 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 a disclosure of abuse occurs or where there is a belief that a child or vulnerable adult is at risk of abuse, Epilepsy Ireland workers will follow procedures in our Child Protection / Safeguarding Vulnerable Adults policies. Disclosure to the HSE and the Gardai may be required.
- If we are required by law to disclose information in other circumstances (e.g. Court subpoena) we will follow our legislative obligations.
- If the service user has urgent medical requirements, we will provide known medical information to emergency services if required.

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, encouraging 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.

Appendix 1: Service User Confidentiality Statement

Confidentiality Statement

In the course of our work, you may share personal information with us so that we can offer an appropriate, supportive and relevant service. We hope that we can build a relationship of trust in order to support you or your family member with their epilepsy.

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.

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 required by subpoena (a court order) to give information, we are legally obliged to provide this.
- If you require an immediate medical intervention and we have medical information relating to you, we will provide emergency services with this information.

In all other circumstances, we will only share your information with other services with your consent - for example if we are discussing your situation/advocating on your behalf with a medical professional or another relevant service.