

## **CONFIDENTIALITY GUIDELINES CLINICAL MANAGER**

*These should be read in conjunction with Wellspring's "Principles & Practice of Confidentiality"*

### **THE DUTY OF CONFIDENTIALITY**

Everyone who works within Wellspring is bound by a duty of confidentiality towards all clients and potential clients seeking Wellspring's help. The Clinical Manager is also required to protect client confidentiality in accordance with the BACP *Ethical Framework for Good Practice in Counselling and Psychotherapy* and COSCA's *Statement of Ethics and Code of Practice*.

The Clinical Manager must also safeguard all confidential matters relating to Wellspring, both during and after their period of involvement with the agency. He or she has a responsibility to respect the organisation and to safeguard Wellspring's standing in the community.

### **POLICIES AND PROCEDURES**

Wellspring has specific policies and procedures relating to confidentiality to guide staff and to ensure that the highest possible standards of confidentiality are maintained within Wellspring. It is essential that you are familiar with these and understand them fully. They include:

- *Data Protection Policy*
- *Therapists' Notes & Record Keeping*
- *Client Access to Notes and Records*
- *Policy and Procedures for Responding to Requests for Access to Records*
- *Client Information: Confidentiality and Data Protection*
- *Client Information: Access to Records*
- *Client Information: Procedure for Subject Access Requests*

### **CLIENTS**

1. Any disclosure of confidential information about clients should be restricted to furthering the purposes for which it was originally disclosed.
2. Therapists will consult you where they have concerns that disclosure of confidential information may be necessary. It is important to hold in mind that any disclosures should be undertaken in ways that best protect the client's trust. Consideration needs to be given as to whether such disclosure is in the best interests of the client, or may be necessary in the public interest.
3. Great care should be taken in clinical discussion with therapists and other colleagues that the anonymity of clients is protected. Where identifying

information must be shared confidentially within Wellspring, this should be kept to the minimum necessary.

4. Contact with a GP or other professional outwith Wellspring should whenever possible be with the client's knowledge, and preferably with their signed consent.
5. Records and personally identifiable and sensitive information must be protected from unauthorised disclosure. Wellspring keeps client records, but therapists are responsible for their own client information and any personal notes. They are required to retain these securely and to take care that they do not contain clients' names or addresses. The same expectation would apply if you make personal notes about a client. All notes and records should be held in accordance with the Data Protection Act and be disposed of by shredding.
6. Some clients do not wish family or friends to know that they have made contact with or are attending Wellspring. Staff need to take particular care when phoning or leaving messages, including answering machine messages for clients not to disclose that the call is from Wellspring.
7. If you meet a client in the street, to acknowledge them may risk breaching confidentiality. Let that person make the decision to recognise you or not.

#### **ORGANISATIONAL CLIENTS**

Your duties will involve managing Wellspring's Employee Assistance Programmes. It is essential that any information about organisational clients, their business activities and their employees is treated in strictest confidence.

#### **OFFICE CONFIDENTIALITY**

1. Confidential material left lying in your or the main office, or information on an unattended computer, may be seen by those not entitled to do so. It is important not to leave such information visible. It should be locked away or removed from the screen even if you are out of the office for only a brief period.
2. Wellspring's shredder may be used to destroy notes and other confidential material.
3. If you respond to a telephone call to Wellspring from an enquirer who asks whether a named individual is a client of Wellspring's, even to confirm this is a breach of confidentiality unless the client has given consent for this to be disclosed. You should tell the caller that you are not at liberty to say who is a client here, but that you can take a message which may be passed on *if* the person comes here.

### **ETHOS OF CONFIDENTIALITY**

As Clinical Manager the attitude you take towards treating clients with dignity and respect and safeguarding confidentiality will inform the ethos within Wellspring. You have a responsibility to exercise this duty of care and to do your utmost to foster the highest standards of confidentiality, both in practice and in attitude.

It may be that situations will arise (in relation, for example, to a complaint or grievance) where the confidentiality of therapists needs to be safeguarded. Your role is to ensure this, both for the sake of the therapist and of the morale of the organisation.

### **CONFIDENTIALITY AGREEMENT**

As part of your contract with Wellspring you are asked to sign a Confidentiality Agreement, two copies of which you will find attached. They should be signed by you and by the Chair of the Management Committee. One copy should be retained by you and the other by Wellspring.

## CONFIDENTIALITY AGREEMENT CLINICAL MANAGER

This agreement is made between **Wellspring** and \_\_\_\_\_

on \_\_\_\_\_ day of \_\_\_\_\_ 200\_\_.

- I have read and understood Wellspring's *Principles & Practice of Confidentiality*. I have also read the *Confidentiality Guidelines: Clinical Manager* and the confidentiality documents itemised in the section "Policies and Procedures".
- I agree to maintain client confidentiality as set out in these documents and in accordance with the ethical principles of BACP and COSCA and with Data Protection legislation.
- I also undertake to safeguard all confidential or sensitive information relating to Wellspring that I may encounter and not disclose it to third parties.
- I will treat in strictest confidence any information about organisational clients or their employees. This includes the information that an organisation has an Employee Assistance Programme with Wellspring.
- I will treat any sensitive information I encounter relating to the business activities of organisational clients in strictest confidence and will not disclose it to anyone outside Wellspring, or within Wellspring unless absolutely necessary.

Signed .....

Name (please print) .....

Date .....

Witnessed for Wellspring .....

Name (please print) .....

Date .....