

Confidentiality Policy

Introduction

Medical confidentiality in the UK is common law duty. The duty of confidentiality to the patient is absolute except in very specific circumstances

Respecting patient confidentiality is central to good medical care with trust being an essential part of the clinician-patient relationship. Without the trust that confidentiality brings people might not seek medical care and advice or may not volunteer information needed to provide good care.

The General Medical Council (GMC) updated guidance on Confidentiality is underpinned by the Caldicott principles and sets out the responsibilities of all doctors for managing and protecting patient information. It recognises the multi-disciplinary and multi-agency context doctors work in.

The guidance emphasizes the importance of confidentiality and its application when using, sharing or disclosing information. Within the working of the Institute of Psychosexual Medicine (IPM), confidentiality is essential and all patient information is anonymised when preparing cases for seminar presentations, examinations, audits, IPM meeting presentations and journal publications.

Objectives

- To ensure that all health care professionals working within the framework of the IPM are aware of and abide by the IPM's confidentiality policy.
- To set out specific responsibilities for all health care professionals working within the framework of the IPM with regards to their role in protecting confidentiality.

Definition

Confidential information is that which is disclosed by patient to clinician in circumstances where it is reasonable to expect that the information will be held in confidence. It is a legal obligation that is derived from case law and is a requirement established within professional codes of conduct.

Standard Statement on Confidentiality

All patients whose case profiles are used for seminar discussion, examinations, audits, IPM meeting presentations and journal publications should be certain that their right to confidentiality will be respected and maintained in line with General Medical Council guidance on confidentiality and legislative requirement.

Legislative Requirement

The three areas of law that are most relevant to the processing of patient information include the Common law of confidentiality, Data Protection Act 1998 and the Human Rights Act 1998.

Patients Rights to Confidentiality

- The IPM displays its confidentiality policy on its website
- The IPM outlines its confidentiality policy at seminar groups, annual meetings and journal publications
- The IPM adheres to the Caldicott principles

Responsibilities of Health Care Professionals

Confidentiality is fundamental to good medical practice and is underpinned by the following Caldicott principles which must be adhered to by all health care professionals (HCP):

- Use the minimum necessary personal information
- Manage and protect information
- Be aware of your responsibilities
- Comply with the law
- Share relevant information in line with the principles
- Ask for explicit consent to disclose identifiable information other than their direct care or local clinical audit
- Tell patients about disclosures of personal information you make justify the purpose
- Keep a record of your decisions to disclose or not to disclose information
- Support patients to access their information. Respect and help patients exercise their legal rights to be informed about how their information will be used and to have access to or copies of their health records

Specific Responsibilities of Clinicians:

- All clinicians should maintain their training in confidentiality and information governance
- Doctors should be familiar with and adhere to the most up to date guidance from the GMC regarding confidentiality
- Allied health professionals should be familiar with and adhere to the most up to date guidance from their own professional registration body

Potential Breach of Confidentiality:

- The IPM takes any potential breach of confidentiality very seriously. If such an event occurs, the Non-compliance procedure and Code of Conduct should be followed.

References

Confidentiality: good practice in handling patient information (2017) GMC, London.

Department of Health: Implementing the recommendations of the Caldicott Report (1998/089) DH London.

Confidentiality: NHS code of practice (2003). DH London.

Data Protection Act 1998.

Human Rights Act 1998.