



# Advocacy Action

Developing Advocacy in Wakefield District

## Draft Policy and Approach to Confidentiality

### Introduction

Advocacy Action's work sometimes involves people talking about very private and sensitive problems. Sometimes people will tell you things that they wouldn't want anyone else to know, even if it doesn't sound important.

But advocacy is often about sharing information with other people, so we need to understand when it is right to share information and when we should keep quiet.

One way of avoiding mistakes is by constantly asking ourselves: are we ensuring the dignity, safety and rights of everyone are respected. It is a careful balancing act:

#### Key principle of confidentiality

*It is very important that when we work at Advocacy Action we shouldn't repeat what anyone says unless we are sure they want us to.*

#### Key principle of advocacy

*To be effective advocates we must be sure we have full information about our partner's problem, and we must be able to share this information effectively with other people.*



### Policy

1. Everyone using Advocacy Action and everyone working or volunteering here has the right to expect that:
  - confidential information will only be used for the purpose for which it was given, and
  - it will not be passed on to other people or agencies without that person's consent.
2. The duty to keep information confidential applies to everyone at Advocacy Action (this means all staff, volunteers, and committee members).



3. Advocacy Action's service users have the right to have their information kept in secure and private storage. Everyone at Advocacy Action must keep service users information in secure and private storage.
4. If information needs to be passed on to other agencies or people, the advocacy worker should ask for the person's consent. The advocacy worker should do their best to ensure their partner understands what they are agreeing to.
  - Consent only applies to the purpose at the time, fresh consent would need to be given for the same information to be passed on for a different reason.
  - It is the advocacy worker's responsibility to make sure that the service user's information is only passed on for the purpose for which it was given.
  - Consent for an advocacy worker to pass on information should not be confused with the Advocacy Action 'Consent Form'. The consent form says that a person agrees to Advocacy Action obtaining information about them *from* Solicitors, Doctors, or other professionals. This information should be kept secure and confidential as if the person told Advocacy Action directly.
5. There are only three reasons for not keeping information confidential: if the advocate believes that:
  - i) the services user is in imminent danger of harm;
  - ii) the service user is a threat to others; or
  - iii) where a Court of Law or its agents legally demands a disclosure.However, advice should always be sought from the managers before responding to such requests.
6. It is a condition of involvement with Advocacy Action that employees, volunteer advocates and committee members will not break this confidentiality policy. If anyone at Advocacy Action breaches confidentiality they may be disciplined and could be dismissed.
7. All records kept by employees, volunteers and committee members on Advocacy Action's behalf will be made available to authorised personnel on a need to know basis. This information will be returned to the managers when a person leaves Advocacy Action.
8. Confidential information given to staff and volunteers which does not form part of the record keeping process of Advocacy Action must remain totally confidential to the employee or volunteer or their supervisor.
9. Within committee meetings Advocacy Action users should not be referred to by name and their personal details should not be discussed. Full addresses should not be referred to.
10. If you have any questions or problems with any part of this policy you should contact the managers first. If you are not satisfied you can contact the management committee.