

Patient / Client Confidentiality, and Information Protection

A reference note for patients and clients

The Dublin Well Woman Centre takes seriously its obligations to honour patient / client confidentiality. This is crucial to the trust between our patients and clients, and the Dublin Well Woman Centre as a healthcare and counselling services provider.

We appreciate that the nature of our services requires our patients and clients to entrust Well Woman clinic staff with sensitive and personal information relating to their sexual and reproductive health. Patients and clients are entitled to expect us to keep that information confidential at all times, unless there is a compelling reason not to do so.

Well Woman clinic staff have an ethical and contractual obligation to maintain client confidentiality, and they act appropriately to protect client information against improper disclosure or use.

Information provided by patients or clients may, in certain circumstances, need to be shared within the Dublin Well Woman Centre, for example between a counsellor and a Well Woman doctor, or vice versa.

This information-sharing is an essential part of the provision of many aspects of healthcare and / or counselling, and reflects the involvement of healthcare professionals working in teams, and bringing their own particular expertise to enhance the patient's care.

We only share patient information when it is necessary to deliver the appropriate care to the patient. This duty of confidentiality applies to all patients and clients, regardless of age, gender, social class, religion, sexual orientation, disability or medical condition.

Breaching Confidentiality

There are certain, limited circumstances in which a Well Woman doctor, nurse, counsellor or manager may need to breach confidentiality. These circumstances are largely – though not exclusively – linked to the protection of minors.

The Dublin Well Woman Centre *may* need to breach confidentiality in cases of:

Consent: We may release confidential information with the consent of the patient or client, or with the consent of a legally authorised representative or decision maker, such as a parent or legal guardian.

Court Order: We may release confidential information upon receipt of a Court Order.

Continued Treatment: We may release confidential information necessary for the continued treatment of a patient.

To Comply with the Law: We may reveal confidential information in order to comply with mandatory reporting statutes around the disclosed abuse, or potential abuse of a minor, or where we have real and substantial concerns that the minor may be at risk of physical, emotional or sexual abuse.

To Communicate a Threat: We may reveal confidential information in line with our duty to protect others from violence by a patient or client. We may also reveal confidential information in cases where a patient or counselling client reveals that she is at risk from another, or where we have a real concern that she may be at risk of harming herself.

The circumstances outlined above are a *general guideline* of exceptions to the ethical duty of confidentiality, and should not be interpreted as definitive.

When a decision is taken to disclose information about a patient / client to a third party due to safe-guarding concerns, or because it is in the public interest, the patient / client will always be told and asked for consent before the disclosure (unless it is unsafe or impractical to do so).

In some circumstances, obtaining consent may be neither possible nor desirable, as the safety and welfare of the client is the priority. In such cases, there must be clear reasons and necessity for sharing the information.

Disclosures of confidential patient / client information to a third party may only be made to an appropriate person or organisation (eg, a social worker, or the Gardai). The Dublin Well Woman Centre will ensure that the patient is informed of any action to be taken, and why, and the patient's wishes and feelings noted.

Giving information to others for the protection of a child, young person or vulnerable adult is not a breach of confidentiality, and the Dublin Well Woman Centre policy on child protection should be followed in these instances.

Storage of Information

- The Dublin Well Woman Centre staff will not allow confidential information to be visible in public places.
- They will not access confidential information about a client or patient unless it is necessary as part of their work.
- They will not remove confidential information from the premises unless it is necessary to do so to provide treatment, and the appropriate technical safeguards are in place.

Confidential information is stored in accordance with the Data Protection Acts of 1983 and 2003.

Any breaches of this policy should be immediately reported to the Chief Executive, the Medical Director, or the Head of Counselling Services.

Conclusion

Well Woman medical and nursing staff, as well as our counsellors, are trained and qualified in medical, nursing or counselling skills, and not to be lawyers. At all times the 'ethical compass' guiding us is the well-being of the patient or client.

When in doubt about a confidentiality issue we will err on the side of our paramount responsibility to care for the patient or client.

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