

### Confidentiality and the Reporting of Serious Matters

#### Policy

The Service will respect the privacy of clients and hold information obtained in the course of service in confidence, except where the law demands otherwise or there are ethical or moral reasons not to do so. All workers need to be fully aware of the nature of confidentiality, be clear about personal, professional and organisational boundaries as outlined in contracts and procedure manual, and understand the implications of policy on practice.

#### Procedure

Clients will be informed of the nature of the service and the need to share necessary information among team members, because of 24-hour service and on-call demands, but assured that this will be on a "need to know" basis only.

This confidentiality applies not only to matters discussed between worker and client but in the discussion of issues relating to the client, and in the care taken of any written material, or conversation where others may be present or over the telephone. In the ordinary practice of service, written permission will be sought from the client before any disclosure is made to any other agency, whether for an adult or any other member of the family.

While all workers at LEAC, whether paid or unpaid, have a duty under common law to maintain confidentiality, there are also moral, ethical and legal restraints associated with Duty of Care. Informing appropriate authorities with the consent of the client will always be the preferred stance, but where client consent is not foreseeable and where failure to act is judged to be a possible breach of Duty Of Care, the decision to breach client confidentiality will be taken only after careful consideration. Decisions to breach confidentiality are considered extremely serious and need careful consideration. Such decisions will always be made in consultation with the Co-ordinator and others, and the consequences both intended and unintended considered, along with positive and potentially adverse outcomes.

The following activities are not considered to be a breach of confidentiality:

- discussion of consumer details during supervision, training or staff meetings
- reporting to the proper authorities serious matters which come to the attention of staff, the appropriate steps having been taken, as outlined below:

The Co-ordinator will be advised immediately of a serious matter affecting duty of care, and:

- in consultation with staff involved, the Co-ordinator will decide on behalf of LEAC whether the matter should be reported to any other authority
- any necessary actions will be organised and authorised by the Co-ordinator.

## **Client Services**

If a request for information is received from another agency, the worker will follow the protocol above for reporting. The agency requesting information will be advised of the Co-ordinator's decision about release of information.

LEAC will seek confirmation from the agency involved that it be properly informed if child protection issues/court procedures are contemplated, so that appropriate action can be taken.

