

what you think the accurate statement should be. You can also ask for steps to be taken if you have suffered distress as a result of the inaccuracy.

## DUTIES OF STAFF CONCERNING YOUR CONFIDENTIALITY

All staff working in health and social care services in Northern Ireland are under a legal, ethical and care duty to protect the confidentiality of personal information relating to patients and service users. This applies to verbal as well as written information.

Disciplinary action can be taken against staff if they fail to comply with these duties.

If you feel that your right to confidentiality has not been properly protected, please raise your concerns with senior staff in the organisation. There will also be a complaint or customer care service which you can use. You may also wish to contact the Patient and Client Council, which can help you to raise your concerns ([www.patientclientcouncil.hscni.net](http://www.patientclientcouncil.hscni.net)).

## Local contact

Please add contact details here

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Department of  
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[www.dhsspsni.gov.uk](http://www.dhsspsni.gov.uk)

## Your Right to Confidentiality



Further information about the issues mentioned in this leaflet can be found in the revised *Code of Practice on Protecting the Confidentiality of Service User Information*, published in 2012 by the Department of Health, Social Services and Public Safety and available on its website ([www.dhsspsni.gov.uk](http://www.dhsspsni.gov.uk)).

## **YOUR RIGHT TO CONFIDENTIALITY**

As a patient in the health service, or user of social care services, you will be asked by health or social care staff to supply personal information about yourself. This is to ensure that you are given appropriate treatment and care. The information you supply is stored securely, because you have a legal right to have such personal details kept confidential.

Your right to confidentiality is guaranteed partly by the Data Protection Act 1998, partly by the Human Rights Act 1998, and partly by principles established by judges on a case-by-case basis. In addition, there are ethical standards which staff within the health and social care sector are required to adhere to.

## **SHARING YOUR INFORMATION**

The information you supply often needs to be shared with other people who are involved in providing you with health or social care or with other essential services. These could, for example, be people in housing agencies, education authorities or social security and benefit agencies. Such sharing is an essential aspect of modern health and social care, which

requires professionals to work together in teams. Members of your care team may need to know, for example, what medicine you have been prescribed, and why.

But even this sharing of information is lawful only if it is *necessary* to ensure that your care or treatment is appropriate for you. If you do not understand how or why your information will be shared, please ask a member of staff who provides you with care or treatment to explain this to you, or contact a senior manager in the organisation.

## **USING YOUR INFORMATION FOR THE BENEFIT OF OTHERS**

In many circumstances it is extremely helpful for the health and social care system to be able to use information about individuals so that there can be, for example, efficient planning of services, proper maintenance of accounts, provision of appropriate training to staff and adequate reviewing of the outcome of treatments. But in all such cases your information is, wherever possible, anonymised or in some other way coded so as to conceal your identity. In the circumstances where the use of your information may identify you, you will normally be asked to give your consent for the information to be used.

## **DISCLOSING YOUR INFORMATION IN THE PUBLIC INTEREST**

There are circumstances when the law allows disclosure of your information because it is in the public interest to do so. For instance, disclosure may become necessary to reduce the chances of someone else suffering harm (especially if that person is a child or otherwise vulnerable), to enable alleged misconduct by health and social care staff to be investigated or to protect the general public against the spread of infectious diseases. But even in these circumstances your information will, generally speaking, not be disclosed in a way which identifies you as an individual by name.

## **YOUR RIGHT TO SEE WHAT IS HELD ABOUT YOU**

You have a legal right to see information held about you by health and social care organisations if you ask for it in writing (usually an administrative fee is charged). But information does not have to be given to you if it is also about another person or if giving it to you would cause serious harm to you or to another person. If you think the information about you is inaccurate, you have a right to have a note inserted in the record pointing out