

## CHS169 Comply with legal requirements for maintaining confidentiality in healthcare

### OVERVIEW

This standard relates to compliance within confidentiality and legal frameworks when dealing with any request for information or data. It covers all aspects of an individual's information, data and any other resources relevant to their healthcare activities. It is applicable to a wide range of healthcare personnel across a range of professions within a wide range of health settings. Users of this standard will need to ensure that practice reflects up to date information and policies. Version No 1

### KNOWLEDGE AND UNDERSTANDING

You will need to know and understand:

1. work within your own level of competence, authority and knowledge base
2. the importance of maintaining individual/client confidentiality when responding to enquiries and throughout your work practices
3. the importance of and how to confirm the identity of enquirers
4. how to communicate effectively in the appropriate medium to meet the individuals needs and preferences
5. where and how to obtain relevant and up to date information
6. the importance and application of clinical governance and information governance
7. how to deal with an individuals request for their own records in accordance with freedom of information governance
8. the potential problems and management of associated risks and consequences for failing to comply with the legal requirements covering an individuals confidentiality
9. the importance of recording information clearly, accurately and in a timely and systematic manner in line with legislation and organisational requirements
10. systems for storing and accessing an individual's information and the associated data and the security measures associated with them
11. the current national legislation, guidelines, local policies and protocols, the role of the Caldecott guardian and data protection which affect your work practice
12. the policies and guidance that clarify your scope of practice, accountabilities and the working relationship between yourself and others

## PERFORMANCE CRITERIA

You must be able to do the following:

- 1.work within your level of competence, responsibility and accountability throughout
- 2.establish the identity of an enquirer prior to providing any information or data
- 3.ensure that enquiries are routed to the appropriate person if the request is outside your responsibility and accountability
- 4.communicate effectively in the appropriate medium to meet the individuals needs and preferences
- 5.give clear, concise and accurate information or other data where this is within your scope of practice and responsibility
- 6.respond correctly to any questions which are within your area of responsibility and refer any questions that you cannot answer to the appropriate person
- 7.ensure you retain the confidentiality of the individuals information or data in line with legislation and organisational requirements
- 8.where appropriate, ensure the safe and secure transfer of the individual's information or data to the enquirer
- 9.record the request for any information or data supplied to maintain an audit trail of persons in receipt of information
- 10.maintain full, accurate and legible records in line with current legislation, guidelines, local policies and protocols

## ADDITIONAL INFORMATION

This National Occupational Standard was developed by Skills for Health. This standard links with the following dimension within the NHS Knowledge and Skills Framework (October 2004): Dimension: Core 3 Health, safety and security