

## CONFIDENTIALITY POLICY

A main principle of Advocacy is CONFIDENTIALITY

The confidentiality policy helps to make sure that:

- The Advocacy Partner does not have any of their information passed to others without their agreement
- The Advocate has an agreed way of working with information

### HOW CONFIDENTIALITY WORKS

1. A Person will be informed about Advocacy and Confidentiality
2. A Person's confidential information will be available to the Advocacy Workers only when needed for their work
3. A Person's confidential information will be kept safe
4. Each time there is a request for a Person's confidential information it will only be shared with the Person's consent
5. An advocate will explore ways to recognise a Person's consent
6. An Advocate will ensure a Person is not identifiable by their situation if information is shared with Advocacy Workers
7. Records of written information will be shredded when no longer needed by the Person or the Advocacy Workers
8. Confidentiality may be broken if an Advocate believes there is an immediate risk or threat to the Person or others, or if a court of law demand confidential information is shared
9. An Advocate will consult the Manager for advice when needed
10. An individual's intentional disregard for the organisation's confidentiality policy will result in disciplinary procedures

## CONFIDENTIALITY AND 'VULNERABLE ADULTS'

A main principle of Advocacy is **not** having a duty of care

An Advocate does have a 'public duty' to ensure a Person's safety:

- If the Person is considered by statutory organisations to be a 'Vulnerable Adult' due to disability or capacity to understand
- If the Person is under 18 years of age - not legally an adult

### HOW CONFIDENTIALITY WORKS

1. An Advocate will consider the risk of immediate danger
2. An Advocate will ask for consent to share the information
3. An Advocate will contact the Manager for advice
4. An Advocate will report immediate risks to another authority
5. An advocate will discuss low risk situations with the Manager
6. An Advocate will consider who needs to know the information
7. An Advocate will consider supporting the Person for a fixed time to enable the Person to reach a decision about disclosure
8. An Advocate will consider not disclosing the information and explain the consequences of nondisclosure to the Person
9. An Advocate will consider all the legal consequences to the Advocate of withholding information in a case of law
10. An Advocate will only break confidentiality in extreme cases of risk after considering all the individual circumstances