



Independence
Inclusion
Recovery

Confidentiality

it's your right



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IV3 5JT
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Email: info@birchwoodhighland.org.uk
Website: www.birchwoodhighland.org.uk

Confidentiality

- It's your right

Introduction

Birchwood Highland must keep your personal health information confidential.

It is your right.

This leaflet explains how Birchwood Highland does this.



What is meant by personal health information?

It is information that identifies who you are. It includes things like your name, address, postcode, and date of birth.

It can also include:

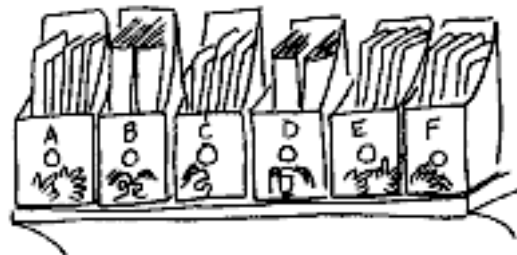


- ◆ Information about any care and treatment you have received.
- ◆ Information about your health and lifestyle.
- ◆ Information about your needs in relation to housing, budgeting, self care, and how staff will support you with these.

How and where does Birchwood Highland keep my personal health information?

Your personal health information is kept in records. Records can be written on paper, held on computer, or on both.

Birchwood Highland stores records securely in locked filing cabinets or locked offices.



Computer records are password-controlled and can only be accessed by staff who have a sufficient level of authority.

Such staff will include:

- ◆ Your key worker; and
- ◆ Other support worker staff who may be supporting you;
- ◆ The Manager of this team; and where appropriate,
- ◆ More senior management staff based at Head Office.



How does Birchwood Highland keep my personal health information safe?

All Birchwood Highland staff have a legal duty to keep information about you confidential.

Birchwood Highland stores your personal health information securely, whether it be on paper or on computer.

Birchwood Highland will **not** share your personal information with persons such as a:



- ◆ relative;
- ◆ carer; or
- ◆ friend;

or with organisations such as:

- ◆ the Department for Work and Pensions;
- ◆ employers; or
- ◆ the media (newspapers, radio etc);

unless you have given us your permission.

How is my personal health information used?

Birchwood Highland staff use your information to give you the support or care that you need. They may share your information with other Birchwood Highland staff involved in your care. This makes caring for you safer, easier and faster.

Sometimes we will share information with people outwith Birchwood Highland, for example a doctor, social worker or community psychiatric nurse, *but only if you agree*.

And we will only share information with them that is *relevant* to your care needs.



When would Birchwood Highland share my personal information with people or organisations outside Birchwood Highland?



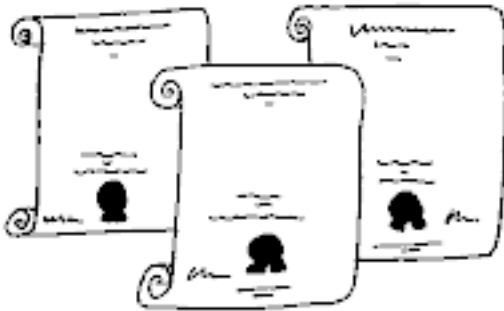
As well as receiving support from Birchwood Highland, you may be undergoing treatment or care from a doctor, nurse, social worker, or others, and they might need us to provide relevant information about your health.

We will only give them information if:

- ◆ you have agreed; and
- ◆ they need this information to be able to give you treatment or care.

However, there are **special rules** for people who are unable to make decisions for themselves, or cannot tell others their decisions.

In these circumstances, the law can allow another person to see your records and discuss your care if:



- ◆ You have appointed them to act on your behalf by granting them Power of Attorney; or
- ◆ They have applied to a court and have been granted a guardianship order.

Even if these special rules apply to you, Birchwood Highland will not give information to the person acting on your behalf if:

- ◆ You have told Birchwood Highland that you do not want them to have the information; or
- ◆ Birchwood Highland staff feel it would be harmful to your health, or the health of others to give them the information.

Sometimes the law allows Birchwood Highland staff to share your personal information without your permission, for example to investigate a serious crime or to protect a child.

How can I see my health records?

You have the right to see your health records, or ask for a copy.

The leaflet, “How to see your support plan and records” explains how to do this.

Do I have a right to keep confidential information from you?

We try to obtain personal health information about our service users that is factual and relevant to their personal needs.

If you consider that certain information we ask for is not relevant to your care needs, you are at liberty to withhold it.





What can I do if I'm not happy with the way my personal information has been used?

If you are not happy about how your health information has been used or protected, first talk to a member of Birchwood Highland staff providing your care.

If you're still unhappy after this, and would like to make a complaint, ask a member of staff to help you to follow the Birchwood Highland complaints procedure.

Alternatively, you can complain directly to the Care Commission. You can get a copy of the Care Commission's Complaints Procedure leaflet from a member of Birchwood Highland staff.

Care Commission Headquarters
Compass House
11 Riverside Drive
Dundee
DD1 4NY

Tel 01382 207 200
Lo-call: 0845 600 8331

Care Commission
North Region
Inverness Local Office
First Floor
Castle House
Fairways Business Park
Inverness
IV2 6AA

Tel 01463 227 630

How to find out more

For more information about anything contained in this leaflet please contact:

- ◆ The Manager of the Birchwood Highland service providing your support.
- ◆ Your local Citizens' Advice Bureau (you can find your nearest bureau on the website www.cas.org.uk, or in the phonebook
- ◆ Your local health council, which can give independent advice. You can contact them at

Scottish Health Council Highland
Larch House
Stoneyfield Business Park
Inverness
IV2 7PA

Tel 01463 723 930

- ◆ To find out more about how your personal information is used and protected, you can contact the Information Commissioner's Office at the address below:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Tel 01625 545 700

website: www.informationcommissioner.gov.uk

- ◆ You can also contact Birchwood Highland Head Office to complain about how we have used or protected your information. Head Office staff will ask you if you wish to make a formal complaint and if so, assist you in doing this.



- ◆ If you cannot make decisions for yourself, or cannot tell others your decisions, this is called “incapacity”. For information about the Adults with Incapacity (Scotland) Act, including Power of Attorney and Guardianship Orders, contact:

The Office of the Public Guardian
Hadrian House
Callendar Business Park
Callendar Road
Falkirk
FK1 1XR

Tel 01324 678 300

website: www.public-guardian-scotland.gov.uk

Other leaflets in this series

How to apply for Housing Support or Residency in Birchwood Highland Recovery Centre

How to complain (Birchwood Highland Complaints Procedure)

How to see your Support Plan and Records

Statement of Rights

Copies of these leaflets are available from any member of Birchwood Highland Staff, or they can be downloaded from the website, www.birchwoodhighland.org.uk/publications

The information in this leaflet is based on the key principles set out by the Scottish Commission for the Regulation of Care:

- ◆ Accessibility
- ◆ Fairness
- ◆ Effectiveness
- ◆ Clarity
- ◆ Confidentiality
- ◆ Impartiality

We have also made changes to this leaflet, taking the comments of service users into account.

June 2008

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