

A Guide to Carers and Confidentiality

What is a carer?

A carer is someone who spends time providing unpaid support to a family member, partner, friend or child. They could be caring for someone who is, ill, frail, disabled, has learning disabilities, a mental illness, substance or alcohol problem. The caring may include help with personal care, medication, cooking, shopping, housework and giving emotional support.

The importance of sharing information:

We recognise that:

- The sharing of information between staff and a carer is vital to the care and treatment of our service users (patients)
- A carer is often the person that knows the service user best
- The wellbeing of a carer can be greatly improved if they are part of a supportive team

It may help carers to deal with difficult situations if they are given information about care plans, health conditions, medication and dealing with a crisis. Other information is available at: www.nottinghamshirehealthcare.nhs.uk/families-and-carers

Information that can be shared:

Confidentiality never prevents contact between staff and carers and never prevents staff from receiving information. **Carers are entitled to expect to:**

- be able to communicate with staff
- be able to give information to staff and receive general information about health problems, treatments and medications
- be given advice on what information, help and support is available
- be given an explanation of why specific information can't be shared
- be given advice on how to cope with stressful situations
- know who to contact in the Trust to express concern about the service user, especially in an emergency or out of hours

Barriers to the sharing of information:

Healthcare is a partnership between service users, carers and professional care staff. Sometimes there can be difficulties with confidentiality and sharing information. When a service user wishes to withhold information these wishes must be respected by staff. It is essential that carers are informed of this.

Normally healthcare staff cannot give carers significant new information about the service user unless the service user agrees.

The duty of confidentiality may be lawfully breached:

- when statute law so requires
- in the public interest – typically when you this is necessary to avert a risk of serious harm to individuals (including the service user) or the public generally
- for the benefit of a service user lacking capacity at the time of consenting to disclosure

Good practice to overcome the barriers:

There are a number of actions that can help overcome these barriers.

Staff should ensure where possible that:

- Carers are routinely identified at first contact/assessment
- The issue of confidentiality is discussed with the service user (and the carer, where appropriate) at an early stage when they are not acutely ill to agree what information about them may be shared and with whom
- They encourage service users to understand the benefits of sharing appropriate information with their carer
- Issues regarding confidentiality are clearly recorded in the service user's notes to and should always be checked to see what information can be shared
- They explain to carers that they have a duty of confidentiality to their service users
- They regularly review decisions about information sharing and contact with a carer

