



Saffron Support Ltd

Business and Technology Centre, Chroma House, Shire Hill, Saffron Walden, Essex, CB11 3AQ



Review Sheet

Last Reviewed
10 Oct '19Last Amended
10 Oct '19Next Planned Review in 12 months, or
sooner as required.

Business impact



Changes are important, but urgent implementation is not required, incorporate into your existing workflow.

Reason for this review

Scheduled review

Were changes made?

Yes

Summary:

Scheduled review of the policy undertaken with minimal changes to the content. References updated and reference to NICE guidelines added to the further reading section.

Relevant legislation:

The Care Act 2014
Equality Act 2010
The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
Human Rights Act 1998
Mental Capacity Act 2005
Data Protection Act 2018

Underpinning knowledge - What have we used to ensure that the policy is current:

Author: Skills for care, (2017), *Care Certificate*. [Online] Available from: <http://www.skillsforcare.org.uk/Learning-development/Care-Certificate/Care-Certificate.aspx> [Accessed: 10/10/2019 12:00:00 AM]
Author: Care Quality Commission, (2017), *Regulation 10: Dignity and respect*. [Online] Available from: <http://www.cqc.org.uk/guidance-providers/regulations-enforcement/regulation-10-dignity-respect> [Accessed: 10/10/2019 12:00:00 AM]
Author: Care Quality Commission, (2015), *Using hidden cameras to monitor care*. [Online] Available from: <http://www.cqc.org.uk/news/stories/using-hidden-cameras-monitor-care> [Accessed: 10/10/2019 12:00:00 AM]

Suggested action:

Encourage sharing the policy through the use of the QCS App



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1. Purpose

1.1 To support the human rights of the Service User and ensure that Saffron Support Ltd complies with legislation and regulation in relation to the privacy of individuals.

1.2 To support Saffron Support Ltd in meeting the following Key Lines of Enquiry:

Key Question**Key Line of Enquiry (KLOE)**

CARING	C3: How are people's privacy, dignity and independence respected and promoted?
RESPONSIVE	R1: How do people receive personalised care that is responsive to their needs?
WELL-LED	W1: Is there a clear vision and credible strategy to deliver high-quality care and support, and promote a positive culture that is person-centred, open, inclusive and empowering, which achieves good outcomes for people?

1.3 To meet the legal requirements of the regulated activities that Saffron Support Ltd is registered to provide:

The Care Act 2014

Equality Act 2010

The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014

Human Rights Act 1998

Mental Capacity Act 2005

Data Protection Act 2018



2. Scope

2.1 The following roles may be affected by this policy:

All staff

2.2 The following Service Users may be affected by this policy:

Service Users

2.3 The following stakeholders may be affected by this policy:

Family

External health professionals

Local Authority

NHS



3. Objectives

3.1 To ensure that the Service User's right to privacy is respected and that staff understand how they can deliver care and support that respects this right.



4. Policy

4.1 Saffron Support Ltd recognises the right of Service Users to be left alone, undisturbed and free from intrusion. The Service User also has a right to privacy with regard to both their personal affairs and their belongings.

4.2 Staff will adhere to the human rights of individuals and work in accordance with professional codes of conduct and company policy and procedures. Intentional breaches of privacy will be investigated fully, and appropriate bodies informed and lessons learnt.



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5. Procedure

5.1 Care Planning at the start of a service

The needs of the Service User in relation to privacy will always be considered during the Care Planning stage to ensure that Saffron Support Ltd can effectively meet the person's needs. This assessment will include what information about them can be shared and with whom

Preferred Service User wishes must be communicated to other relevant staff at Saffron Support Ltd

The Care Planning process will be completed in a private area where the Service User can feel able to discuss areas of their care needs. This is particularly relevant if an assessment is taking place in a hospital or respite setting prior to discharge home

5.2 Service User Rights

The individual requirement for privacy will be respected at all times and all information relating to individuals will be treated in a confidential manner

Saffron Support Ltd recognises the right of Service Users to be left alone, undisturbed and free from intrusion and public attention. The Service User also has a right to privacy with regard to both their personal affairs and their belongings

5.3 Staff Expectation, Behaviour and Professionalism

Staff will follow professional codes of conduct as well as operational policies and procedures when considering privacy for Service Users. This includes all staff expectations around professionalism of communication

Staff will only discuss Service Users in the work environment if it is for the purpose of assessment, management and evaluation of care

Staff will not discuss any aspect of the Service User's care outside of the work environment

5.4 Records Management

Records will be designed, used and stored in a manner which assures privacy

Records will be made available to the Service User's main Care Worker and family according to the wishes of the Service User

Staff will refer to the Record Keeping Policy and Procedure for further information and guidance

5.5 Personal Care and Privacy

Particular attention will be given to preserving privacy in the use of bathrooms, toilets and when dressing and undressing. At the same time, health and safety and personal risk management will be considered and discussed

Staff will ensure curtains/blinds are closed in order to ensure privacy during personal care and moving and handling

Any personal and sensitive items that may be deemed as necessary care equipment (such as continence aids, catheters, dressings) will be kept out of view at all times to ensure that privacy is maintained

Staff will always knock on the Service User's door and await a response before entering the room

5.6 Photography and Filming

Staff will refer to the policies available with regard to privacy, photography, filming consent and the use of CCTV at Saffron Support Ltd and to relevant CQC guidance.

5.7 Breach in Privacy

Any breach of the privacy of a Service User will be considered a serious event. The incident will be fully investigated in accordance with local procedures and evidence of any lessons learnt recorded, to ensure that the risk of reoccurrence is reduced. Disciplinary action will be taken where the incident is considered to have been caused with intent

Any environmental or equipment fault which reduces the privacy of any Service User must be reported to the manager

Breaches of privacy of a serious nature will be referred to the local safeguarding board and a regulatory notification completed by Saffron Support Ltd manager or delegated other with the relevant

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skills, knowledge and experience

5.8 Training and Education

Privacy forms part of the Care Certificate for care workers. New staff that have not already completed this will be expected to achieve this unit

Staff will be expected to review their professional code of conduct and be aware of what this means in practice

Privacy will form part of the supervision process at Saffron Support Ltd as well as staff and Service User meetings in order to review practice, seek feedback and determine quality assurance

Staff will receive training on the Data Protection Act and associated regulations

5.9 Capacity and Privacy

The same rights of privacy apply to individuals who are proven to lack capacity, therefore staff must do the following:

Establish any previously expressed views or wishes of the individual regarding privacy from family and others

Observe Service User behaviours to identify what the preferences may be for that individual wishing to have privacy

Continue to follow the core principles and practices as detailed within this policy, if deemed in the Service User's best interest to do so (in accordance with the Mental Capacity Act) when weighing up privacy. Refer to associated policies and procedures for further guidance

**6. Definitions****6.1 Privacy**

In literal terms, privacy is defined as a state in which one is not observed or disturbed by other people or the state of being free from public attention

For the purposes of health and social care, privacy is very personal and means different things to different people. Therefore in order to respect people, privacy services need to be personalised as much as possible

6.2 Care Certificate

The Care Certificate is a set of standards that social care and health workers stick to in their daily working life. It identifies the new minimum standards that will be covered as part of the induction training of new care workers

6.3 Human Rights

Human rights are the basic rights and freedoms that belong to every person in the world, from birth until death. They apply regardless of where you are from, what you believe or how you choose to live your life. They can never be taken away, although they can sometimes be restricted; for example, if a person breaks the law, or in the interests of national security

These basic rights are based on values like dignity, fairness, equality, respect and independence. But human rights are not just abstract concepts, they are defined and protected by law. In Britain our human rights are protected by the Human Rights Act 1998

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**Key Facts - Professionals**

Professionals providing this service should be aware of the following:

It is a fundamental right for everyone to have privacy and as professionals, your role is to promote and adhere to this right

Your professional codes of conduct refer to your accountability in relation to supporting people with maintaining privacy

The environment where Service Users are supported needs to accommodate the ability to promote privacy

Any breach of a person's privacy is a serious event and will be fully investigated to ensure there is a period of learning, reflection and change in practice

**Key Facts - People affected by the service**

People affected by this service should be aware of the following:

You have full rights to privacy and staff will discuss what your wishes are around this and what that means for you

Information about you will only be shared with your permission, or if you are unable to give permission when it is deemed to be in your best interest to do so

Staff supporting you will respect your privacy wishes and support you in providing environments that are private

**Further Reading**

As well as the information in the 'underpinning knowledge' section of the review sheet we recommend that you add to your understanding in this policy area by considering the following materials:

Many further reading resources combine best practice of privacy with dignity and respect, the following sites contain further information and guidance for health and social care professionals:

SCIE - Dignity in Care: <https://www.scie.org.uk/publications/guides/guide15/factors/privacy/>

Dignity in Care - Privacy: https://www.dignityincare.org.uk/Resources/Respecting_dignity/Privacy/

NICE Guidelines: Home Care - delivering personal care and practical support to older people living in their own homes:

<https://www.nice.org.uk/guidance/ng21/chapter/Recommendations>

**Outstanding Practice**

To be 'outstanding' in this policy area you could provide evidence that:

Staff follow the principles and practices of this policy

Service Users are provided with an opportunity to feedback their experiences in relation to privacy in order for practice review and quality assurance

Privacy forms a core agenda item for staff meetings, training and supervisions

Regular audits take place that review the privacy practices at Saffron Support Ltd

The wide understanding of the policy is enabled by proactive use of the QCS App