

Version 1.0 FOI Status: Public Document	Children's and Young Persons Advocacy Service Confidentiality and Record Keeping Procedure	December 2006 Review Due December 2007
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DERBYSHIRE COUNTY COUNCIL SOCIAL SERVICES

Children's and Young Persons Advocacy Service Confidentiality and Record Keeping Procedure

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1. *Approval and Authorisation*

Completion of the following signature blocks signifies the review and approval of this Process

Name	Job Title	Signature	Date
Authored by:- Bev Milway	Children's Rights Officer		December 2006
Approved by:- <Name>			
Authorised by:- <Name>			

2. *Change History*

Version	Date	Reason
Version 1.0	December 2006	New Procedure

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Children's and Young Persons Advocacy Service Confidentiality and Record Keeping Procedure

The purpose of this procedure is to ensure that:

- All advocates working for the service understand the importance of confidentiality and their obligations in maintaining a young person's confidentiality
- The young people and other professionals who are in contact with the service know what they can expect in terms of confidentiality

The advocacy service is here to support young people. The work of advocates should be always be led by the wishes and views of the young people of whom they are supporting. This means that there needs to be a position of trust between young people and the advocate. All advocates should treat information shared with them as confidential.

Breaching Confidentiality

The decision to breach confidentiality should only occur in the following circumstances:

- If the young person gives their permission
- Where there is a court order
- Where the advocate may think a criminal offence has been committed
- Where the young person or another young person is suffering or is likely to suffer significant harm if action is not taken.

An advocate should always consult their line manager the Children's Rights Officer before they breach confidentiality to discuss the issue. **The only exception to this may be if a young person is in immediate risk or danger and then the emergency services should be consulted.** If information has to be breached then the advocate should always explain to the young person why this is the case and explain to them the process that they are going to follow.

Explaining to young people about confidentiality

The advocates should always explain the confidentiality procedure to young people and others, for example social workers when they first have contact with them. Young people should be told that:

"If you tell me something that means that you or someone else is in danger and I think there is a risk that someone will be harmed then I may have to share information. I will always tell you first if I need to discuss information with someone else and we can agree actions together"

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An advocate should always discuss the need to pass on information with the young person and should discuss their views on how the situation should be handled. Young people should then be kept informed on what action has been taken by the advocate and who information has been shared with. The advocate should also write down a report for the Children's Rights Officer on why the information had to be shared and the process followed.

Sharing Information

The advocates should only share information with other professionals and individuals with the young persons permission (unless they have to breach confidentiality as stated above). The advocates should not share information with anyone without the young persons permission. The advocates should maintain professional confidentiality and if information is shared this should be on a need to know basis.

Keeping Information

Advocates will need some information about young people in order to fulfil their advocacy role. They do however have a responsibility [under the Data Protection Act 1998](#) to make sure that they treat all personal information with respect. This means that:

- All information should be kept secure
- Information kept should be accurate and not excessive
- The information should be accurate and up to date
- Not be kept for longer than is necessary.

This is a lawful requirement and unlawful disclosure of information about an individual knowingly or recklessly is a criminal offence and carries an unlimited fine. It will also be a disciplinary matter if an advocate is found to have shared information inappropriately.

The advocate should make the young person they are working with aware that they have some information regarding them on record and explain the reasons for this. The advocates should:

- Keep information secure, in lockable storage
- Make sure email or electronic information is secure
- Only keep minimal notes for the purpose of advocating for young people
- Return any information to the Children's Rights Officer upon completion of the case
- Destroy information when no longer needed.

The advocates will be expected to keep some logs of the work they have carried out in a case. This however should be completed and returned to the Children's Rights Officer. This should include:

- Referral information
- Initial contact information
- Completed official letters
- Summary sheets

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If an advocate is unsure whether they should be keeping information then they should ask the Children's Rights Officer for guidance.