Handout 12 Confidentiality

As a general principle, information about a person should not be disclosed to anyone else without the person's consent. There is various Commonwealth and State legislation that states this as a principle and it is also a basic principle in most professional codes of ethics.

Many workers are aware of the need to keep written information confidential but may be less aware of how verbal information can breach confidentiality. For example, it is common to hear tea room conversations about a client where there may be a range of people who can listen in who have no need to know the information. It is highly unlikely that the person's consent would have been sought for this to happen!

Think about how you might feel if someone was talking about your life without your knowledge. It is disrespectful and dis-empowering. It is a worker's responsibility to both uphold a person's right for confidentiality and to inform the person of their rights.

There are some situations where it may be lawful to break confidentiality. For example, if a child is at risk of abuse or harm it is mandatory to report this to the relevant child protection agency. Other people may be put at risk if information is not shared e.g. organisational policies will generally require information be reported to a manager if a client reports abuse by a staff member.

Workers may need to consider how they can maintain confidentiality but also ensure that the person has access to the services that they need. For example, a recreation service may not need to know about a client's challenging behaviours that only occur when he is at home. However, the centre based respite service may need to know this.

Sometimes people give consent in a general way for us to share their information with others. However it is important that we always discuss with the person in detail who will be given their information.