

Standards Unit

Linking theory to practice: confidentiality

Teacher and trainer supplementary
booklet

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Success for All website:
www.successforall.gov.uk

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Foreword

The Standards Unit

We are committed to the following principles which underpin all our work:

- We will recognise and celebrate excellence in the post-16 sector.
- We will recognise and celebrate diversity.
- We will be open and participative in our approaches to development.
- We will recognise barriers to excellence and be supportive of those working in challenging contexts.
- We will challenge underperformance.

Success for All is a partnership between the DfES Standards Unit and the Learning and Skills Council (LSC). The Standards Unit leads on Themes 2 and 3 and the LSC on Themes 1 and 4:

- Theme 1 – meeting needs, improving choice
- Theme 2 – putting teaching, training and learning at the heart of what we do
- Theme 3 – developing the leaders, teachers, training and support staff of the future
- Theme 4 – developing a framework for quality and success.

The Standards Unit was set up in January 2003 to embed excellence in teaching, training and learning and to modernise and upgrade the sector's workforce. It acts as a catalyst, selecting priority curriculum areas for action and harnessing the work of partners to improve quality in the post-16 learning and skills sector – in FE and sixth form colleges, sixth forms in schools, work-based learning, adult and community learning and the prison service.

The Unit's staff includes officials and expert practitioners seconded from colleges and other providers and the inspectorates. This core team is supported by call-off consultants, whose expert knowledge enables delivery in a range of areas. The work of the central team is supported by nine regional offices who are crucial to the national dissemination of the teaching and learning resources and the delivery of step improvements across the country. The Unit selects curriculum areas because of their importance to the economy and social inclusion and because inspection outcomes show there is room for improvement.

To support the improvements required, the Standards Unit is also providing national free training in coaching for teachers and trainers who have been nominated as Subject Learning Coaches by their managers. The programme is designed to provide professional training for Subject Learning Coaches so that they can work confidently with colleagues to further improve teaching, training and learning in their subject area. It is a new and exciting programme which is being embedded through subject networks, where Subject Learning Coaches from different backgrounds meet to share best practice and develop their coaching skills. If you would like to know more about becoming a

Subject Learning Coach, why don't you speak to your Standards Unit Regional Director or look at www.successforall.gov.uk.



This health and social care resource will be a valuable reference in network meetings when Subject Learning Coaches are discussing the health and social care curriculum. We hope you will find this a useful resource and we look forward to receiving your comments and feedback.

Jane Williams
Director of Teaching and Learning
Head of Standards Unit



Introduction

Using the cards

- Good practice
- Room for improvement
- Question

You should select the version of each one of the three sets that best suits the needs of your group. If your group only includes learners on early years courses, then you may choose to use the early years cards in each of the three sets of cards. Your group may include only health and social care learners so you may choose not to use the early years cards. If your group includes learners who are working in early years settings and health and social care settings, you may choose to use all of the cards or a selection from each of the three sets.

All the cards are followed by prompts, designed to help you develop the responses of learners and promote and encourage group interaction. They offer ideas about the kinds of questions that you could use to encourage learners to link their answers to other elements of their course and to their experiences in the workplace.

You can adjust the language of the questions to suit a range of levels and a wide range of learner needs.

The key to the successful use of the prompts lies in careful preparation. The question cards and prompts should be reviewed before the activity is used with a group. If you do this, you will feel more confident about managing the activity. It is unlikely that you will remember all of the prompts and you may want to refer to this handbook when the activity is in progress. This will not ruin the flow of the activity. Once learners are used to the idea that they are expected to develop explanations for their answers to questions on the card, they begin to enjoy the activity and debate and discuss their responses. To increase learner motivation, try linking your prompts to their workplace experiences or to the characters that they are using when taking part in the activity.

TOP TIP

Ask the learners to read out the number of the card and then you can find the correct page more rapidly.

'Good practice' cards for early years (EY)

Below each card there is a series of prompts which may help to extend and consolidate understanding of the issues involved in the information presented.

It will help you to find the right page if you ask the learner to read out the question number as well as the question.

Please note that the title 'early years practitioner' (EYP) is used to denote all staff working in the sector.

Card 1.EY Possible bullying incident

Card 1.EY When an EYP is on playground duty, she notices a six-year-old boy hiding. Reluctantly he tells her that he is being 'picked on' by older boys. He does not want the EYP to tell anyone. The EYP reassures him, but also tells him she does have to tell the class teacher.

Why is this good practice?

- Why should you tell the teacher even though the boy has asked you not to?
- Why might the boy be hiding?
- Why is it important to reassure him?
- Why should the EYP explain to the child she must pass this information on?
- Why do you think trust is essential between the boy and staff members?
- What do you understand by the term 'bullying'?
- How might the experience of bullying affect the boy?
- Why does the boy not want anyone else to know?
- Do you know if there is an anti-bullying policy at your placement?
- What are the key features of such a policy?

The question enables you to explore a range of issues about professional relationships, the need for trust and respect for the boy and the boundaries of the roles and responsibilities of staff.

Card 2.EY Possible case of neglect

Card 2.EY When an EYP overhears parents saying a teenage mother of a child in your class is leaving him on his own at night while she goes to the pub, the EYP asks them to stop talking about the mother.

Why is this good practice?

- Why should the EYP stop the conversation?
- Are there dangers in listening to gossip?
- Can they just ignore what they have overheard?
- If true, why should they be concerned for the child?
- What action should they take?
- Who might be involved in dealing with this situation?
- How might the mother react?
- What help might be available to support the mother?
- What records will be made and why?
- What could the other parents have done if they were concerned?

The question provides a focus for discussing the need to establish fact, and not rely on hearsay. The learners can explore the possible impact on the mother and the child if the gossip were untrue. If the gossip is found to be true, the learners can explain the health and safety issues and the possible effect on the child. Learners can identify a range of professionals and voluntary organisations available to support the family. Examples are: NSPCC help line, social services, health visitor. The importance of codes of professional conduct can be explored to reinforce the importance of confidentiality.

Card 3.EY Possible theft

Card 3.EY When two little girls say that they saw another girl in their class stealing sweets from the paper shop, the EYP thanks them for telling him and says that he will deal with it.

Why is this good practice?

- Why did the EYP thank the girls for telling him?
- What does their confiding in the EYP tell you about the relationship between them?
- Who can best deal with this and why?
- What must you check very carefully?
- Why must such checks be made?
- Why should any investigation be done discreetly?
- If untrue, what might the impact be on the girl alleged to have stolen from the shop?
- What can the children learn from this incident?

The question helps you to focus the learners on the importance of respecting individuals and of staff being positive role models. It will provide an opportunity to explore the ethical considerations and methods which teachers adopt to help young children learn right from wrong. The learners can identify key personnel to be involved, justifying their choice. The discussion could provide an opportunity to draw on life and work experience. The key issue of confidentiality will be explored by reviewing the impact on the child and her family if the allegation is unfounded. Looking at relationships, the learners may be able to list several reasons why the girls may have made up the story.

Card 4. EY Professionalism

Card 4. EY When an EYP bumps into a friend who is working as a mother's help, she starts to tell the EYP about the expensive house and cars owned by the family. The EYP tells her to stop.

Why is this good practice?

- Why stop the mother's help from talking about the family?
- How might the family react if they heard she had been talking in this way?
- Why is it important to maintain privacy?
- Review codes of practice from a range of professional organisations, noting similarities.
- Why do professional organisations have a code of practice?
- Ask the group to write a code of practice for mothers' helps.
- What advice could the EYP give the mother's help?

The question provides an opportunity to review the role and responsibilities of the employer and the employee. Learners can define professionalism by listing its characteristics. By drafting a code for mothers' helps, the learners have an opportunity to demonstrate their understanding, particularly in relation to trust and confidentiality.

Card 5.EY Possible abduction/drug dealing

Card 5.EY When children show an EYP a packet of sweets given to them by “a nice man at the school gate”, the EYP thanks them for showing her, takes the sweets for safe keeping and informs her class teacher.

Why is this good practice?

- Why did the EYP thank the children for telling her?
- What does their confiding in the EYP tell about the relationship between them?
- Why take the sweets for safe-keeping?
- Why should the EYP tell anyone else? If she does, who should she tell and why?
- What explanation could there be for what happened?
- Why is this a sensitive issue?
- Which professionals should be involved if it turned out to be sinister?
- What might be written down as a record?
- Who would have access to that information and why?

The question will enable the learners to explore possible scenarios and outcomes. It can be used to ensure that they appreciate the danger of leaping to conclusions, without checking out the facts discreetly.

There is an opportunity to review relationships and the importance of trust. The role and responsibilities of professionals could be listed with emphasis on the information they would require, where it would be stored and who would have access to it.

Card 6.EY Possible abduction attempt

Card 6.EY A six-year-old girl tells an EYP that a woman asked her to go for a ride in her car at playtime. The EYP tells her that she was good not to go with someone she did not know and then tells her class teacher.

Why is this good practice?

- Why tell her she did the right thing?
- What questions should the EYP ask to gain a clearer picture of the incident?
- What must the EYP bear in mind when talking to the six-year-old girl?
- What will the EYP tell the teacher?
- Who might the teacher involve?
- What action might the teacher take to raise awareness amongst staff and children?
- What should be recorded about the incident and where should it be kept?

The question provides an opportunity to review methods of communication and display evidence for key skills. The learners will need to draw on their understanding of children aged six years.

A discussion on the role of other professionals who may be involved could include a talk by a community police officer. An understanding of the information police require and how they record it will be gained.

Card 7.EY Worrying imaginary phone call

Card 7.EY When an EYP overhears a three-year-old boy pretending to use a telephone in the home corner, his conversation worries the EYP. The EYP tells the class teacher about his concerns.

Why is this good practice?

- What kind of imaginary conversation would worry you? (Sexually explicit, inappropriate language.)
- Where would a three-year-old get such ideas from?
- What is the danger of overreacting?
- Would you discuss the incident with others in the staff room?
- What would you tell the teacher?
- What action do you think the teacher will take and why?
- What may be recorded and where would the record be kept?
- Who might have access to the information?

The question can become a focus for discussing observations in the workplace. It will reinforce the importance of accurate records which are non-judgemental. The danger of jumping to conclusions can be explored. The need for tact and sensitivity should be highlighted to reinforce the skill required by the teacher in dealing with the situation.

Learners can explore the issue of staffroom gossip, noting the possible effect on the child and his family. The effects of stigma and stereotyping can be reinforced, noting the role of teachers in recognising and challenging appropriately, should either be present.

Card 8. EY Possible sexual abuse

Card 8. EY An eight-year-old girl tells the EYP that her uncle likes to cuddle her in bed when her mum goes out. The EYP thanks her for telling her. Then she tells the class teacher.

Why is this good practice?

- Why did the EYP thank the girl for telling her?
- What does this tell you about the relationship the EYP has with her?
- Should the EYP tell the girl that she will speak to the teacher? Give a reason for your answer.
- How can the EYP reassure her that she has done nothing wrong?
- What other professionals may have to be involved?
- What information will be recorded and where will it be kept?
- Why is it important to remain totally objective in these circumstances?

The question should provoke wide-ranging discussions which will need to be focused carefully and sensitively. The learners will need to define objectivity and explore what this means for them as professionals within the field of childcare. The importance of non-verbal communication should be highlighted as should the possible impact on the girl, if inappropriate.

The relationship built on trust and how this could have helped the girl to tell her story should be explored. The sensitive nature of the information and how it is recorded and stored should be discussed, taking into account the 'need-to-know' principle.

Card 9. EY Risk to health

Card 9. EY An EYP discovers an empty chocolate bar wrapper in a child's coat pocket; she knows he is a diabetic. She quietly informs the senior member of staff on duty whilst continuing to observe the child closely.

Why is this good practice?

- Why should the EYP be concerned about finding the chocolate wrapper?
- Why should they inform a senior member of staff?
- What rights does the child have?
- Should they speak to the child about this?
- Give a reason for your answer.
- What may be recorded and where?
- Who else may need to know about this, and why?

The question gives the opportunity to review a child's rights and the role and responsibilities of staff. Further work to ensure that learners understand the issues for someone who is diabetic can be achieved by links to other units. Children's rights and choices also need to be discussed.

Card 10.EY HIV

Card 10.EY A parent tells the EYP that she has told the headteacher that she is HIV positive but she does not want anyone else to know. The EYP thanks the parent for telling her and informs the headteacher about the conversation.

Why is this good practice?

- Why thank the parent?
- Why does the parent not want anyone else to know?
- What might happen if staff and other parents become aware of the situation?
- What effect might this have on the child?
- What is HIV and how can it be spread?
- What are the implications for the school?
- What action can the headteacher take?
- Gain a copy of any policy on HIV you may have in your work placement.

The question requires the learner to think through all the implications for the parent, the child and the relationships with the school if the situation is not handled well. The issues of stigma and discrimination should be explored, together with their impact on self-esteem for both child and parent.



A review of the health and safety requirements and policies should include questioning whether there is a sound understanding of the professionals' roles and responsibilities in the work setting.

Card 11.EY Adoption

Card 11.EY Whilst on a break, a teacher's assistant tells the EYP that a child in her class is adopted, but does not know it. The EYP tells her that she should not talk about the matter.

Why is this good practice?

- Why tell her to stop?
- Why is it inappropriate for her to tell the EYP this?
- What is the possible impact on the child and adoptive parents if this becomes common knowledge?
- What action might be taken against the teacher's assistant if she spreads this information?
- In what way might this information change the way the EYP works with the child?
- How can someone who has been adopted find out about their birth parents?
- Find out the disciplinary policy for your work placement.



The question provides the opportunity to reinforce the importance of remaining objective. The importance of a clear understanding of the professional role and its boundaries can be discussed. Learners should draw on their understanding of all areas of development and of the ways in which social roles impact on identity. The organisations involved to support adoption processes can be highlighted. Learners should identify disciplinary procedures for their workplace.

Card 12.EY Possible physical abuse

Card 12.EY An EYP notices that there is often bruising on the arms and legs of one of the children at her place of work. She makes a record and informs the manager.

Why is this good practice?

- What would you do on noticing such bruising and why?
- Why is it important not to make assumptions?
- What would you record?
- What would you report to the manager?
- What action could be taken?
- How might this affect your work with this family?

This is a challenging topic for Level 2, requiring a degree of sensitivity. A firm focus on dealing with a difficult situation without prejudice is essential. Learners should show they understand why they should not make assumptions and yet still should pass their concerns on. The requirement to remain objective and to show understanding is important. Awareness of other professionals who may be involved and what they might 'need to know' is helpful. Checking out the possible cause is also important.

Card 13.EY Verifying identity

Card 13.EY While in the office you take a phone call. The person tells you that he is the uncle of one of the children and asks you for some information about that child. You refuse and refer them to your supervisor.

Why is this good practice?

- What are the risks here?
- Why refuse?
- Is it ever all right to give out information in this way?
- Do you feel confident that you could do this?
- What if the 'uncle' grew angry?
- What if the 'uncle' told you it was urgent?

This question gives the learners the opportunity to contemplate what they would do in this common situation. The learners should be encouraged to explore their confidence in dealing with this scenario. The learners should also examine their ability to deal with an escalating situation.

Card 14. EY Possible racism

Card 14. EY Rana tells the classroom assistant that other children call her racist names when no staff are around. The assistant confirms that such behaviour is hurtful and unacceptable, and informs the senior member of staff.

Why is this good practice?

- Why is it important to reassure Rana?
- What does Rana telling the classroom assistant indicate to you about the relationship between Rana and the EYP?
- What is racism?
- How might Rana be affected by the name calling?
- What can be done to support Rana?
- What might you discuss with other children?
- What will be recorded and where?
- What legislation are you aware of to support Rana?
- What is the role and responsibility of school staff towards Rana?

The question enables you to check the learners' understanding of racism and the legal framework. A discussion on the role and responsibility of staff, including the learner on work placement, can be used to contextualise the law. The need to report facts objectively and to record accurate accounts are essential.

Card 15. EY Confidentiality policies

Card 15. EY You start work at an early years establishment. As a new member of staff your supervisor takes you through the establishment's confidentiality policy. Your supervisor tells you clearly what your role is and what it is you have to do to maintain confidentiality.

Why is this good practice?

- Why is it important that this is done?
- How would you feel if this did not happen?
- What are the risks if this does not happen?
- What might your supervisor tell you?

The question can be used to focus discussion on the importance of a clear confidentiality policy and the role of training and communication in carrying out this policy. Learners can be encouraged to discuss whether this is what has happened in their placement and, if so, how beneficial it was. A review of professional practice could be used to focus discussions about roles and responsibilities for passing on or recording information.

Card 16.EY Disability

Card 16.EY You are on work placement at a school for children with special needs. On a trip out with an eight-year-old child who has multiple needs (physical and learning disabilities) a shop assistant takes you to one side and says “How sad, what’s wrong with her?” You politely say that you can’t discuss this.

Why is this good practice?

- This is sensitive information and as such is confidential.
- What other issues might concern you here?
- How might the child feel?
- How would you deal with this?

The question can be used to encourage the learners to examine their perceptions of people with learning and/or physical disabilities. This can be linked to a ‘charitable’ view of disability and the dangers that are inherent in this. Discussion could be developed around public/learner understanding of physical and learning disabilities, and the possible effects of the above situation.

Card 17. EY Confidentiality and businesses (including whistleblowing)

Card 17. EY You arrive at work one day to find there has been a fire overnight. A journalist stops you before you enter the building and asks you about the fire. You say that you are sorry, but you can't talk to them.

Why is this good practice?

- This is a sensitive situation and should be carefully handled.
- Some childcare establishments are businesses and are dependent on their reputations. How might your talking to the press affect a business?
- What might happen to you if you do talk to the press?
- Are there situations where, even if your workplace wants you to keep certain information secret, you would still break that confidence?
- What might be the repercussions of not breaching confidentiality in this case?

The aim of this question is to get the learners to think about why confidentiality is important to a business. It is important, however, that either the learners or the teacher or trainer makes the point that there are situations where confidentiality should be breached – for example, to prevent harm to children or to others. This could lead to a group discussion about whistleblowing.

Card 18.EY Mental health

Card 18.EY Whilst in the queue at a supermarket checkout, an EYP overhears colleagues discussing a parent with mental health problems. The EYP tells them to stop talking about the parent.

Why is this good practice?

- Why should the EYP tell them to stop the conversation?
- What harm could be done to the parent by them speaking in a public place?
- What might be the public perception of staff if their conversation is overheard?
- What do professional codes of conduct tell you about confidentiality?
- Why is confidentiality important?
- What are common perceptions of people with mental health issues?
- How might this affect their return to health and normal life?

The question provides an opportunity to review learners' understanding of mental health. A discussion might identify public perception and its impact on individuals. The importance of respect for individuals could also be discussed. This should include a review of the importance of a relationship built on trust and mutual respect. Part of the trust is the requirement of confidentiality.

Learners could identify possible public reactions to hearing staff talking openly about children or parents. They should be able to describe the lack of confidence in the profession that might be caused by such behaviour.

Card 19.EY Possible unauthorised access to confidential files

Card 19.EY A teacher walks into the office to find a learner on work experience going through school records. She tells him to put the files away, and reports the incident to the headteacher.

Why is this good practice?

- How would you react in this situation, and why?
- Why tell him to put the files away?
- What should he have been told as part of his induction?
- Who has access to these files?
- What should you do if you want access to a file?
- Can children or their families have access to their files?

The question provides an opportunity to review the Data Protection Act 1998 and its impact on schools and early years organisations. It also enables learners to review issues about access to personal files, the use of e-mails and all records held electronically.

Card 20.EY Possible criminal record

Card 20.EY A parent tells an EYP that he thinks a member of staff has a criminal record. The EYP thanks him for telling her and asks him not to discuss the matter with anyone else. She then informs the manager.

Why is this good practice?

- Why would the EYP thank him for telling her?
- What checks are made before someone is appointed to work with children or vulnerable adults?
- What is the danger of gossip in cases such as this?
- What will you tell the manager?
- How long do the police keep records on individuals?
- Why might people not declare spent convictions?
- What is the responsibility of all staff in this situation?

The question enables you to work with the learners to consider the reasons for police checks on potential staff and volunteers. The danger of gossip leading to discrimination (or to a court case for slander in extreme cases) could be highlighted. Learners should then be able to make the link with the requirement to keep accurate and factual records and documents.



'Good practice' cards for health and social care (H&SC)

Below each card there is a series of prompts which may help to extend and consolidate understanding of the issues involved in the information presented.

It will help you to find the right page if you ask the learner to read out the question number as well as the question.

Card 1. H&SC Risk to health

Card 1. H&SC A care worker discovers an empty whisky bottle hidden in an elderly man's locker; she knows he is a diabetic. She quietly informs the senior member of staff on duty.

Why is this good practice?

- Why should the care worker be concerned about the whisky?
- Why should the care worker inform a senior member of staff?
- What rights does the man have?
- Should the care worker speak to the man herself?
Give a reason for your answer.
- What may be recorded and where?
- Who else may need to know about this and why?

The question gives the opportunity to review a resident's rights and the role and responsibilities of staff. Learners will better understand the issues for someone who is diabetic by making links to other units. Client rights and choices also should be discussed.

Card 2. H&SC Possible physical abuse

Card 2. H&SC A domiciliary care worker notices bruising on the arms and legs of an elderly woman cared for by her son. She makes a record and informs the domiciliary supervisor.

Why is this good practice?

- What would you do on noticing such bruising and why?
- Why is it important not to make assumptions?
- Why may the woman be reluctant to tell you anything?
- What would you record in the client log left at the house?
- What would you report to the domiciliary supervisor?
- What action could be taken?
- How might this affect your work with this family?

This is a challenging topic for Level 2, requiring a degree of sensitivity. A firm focus on dealing with a difficult situation without prejudice is essential. Learners should explore possible causes and effects for both the woman and her son and the implications for the domiciliary worker. The requirement to remain objective and to show understanding for both the woman and her son is important. Awareness of other professionals who may be involved and what they might 'need to know' is helpful.

Card 3. H&SC Possible theft

Card 3. H&SC A confused woman in a residential home tells a nursing assistant that her neighbour is stealing from her room. The nursing assistant reassures the woman that her concern is taken seriously and he informs the senior member of staff.

Why is this good practice?

- Why reassure the woman?
- What may have happened?
- Why is it dangerous to make assumptions about the woman?
- What will you record and where?
- Who will you tell about the allegation?
- What actions may be taken?
- What may be the result for the accused person if the story is unfounded?
- How might this affect the way staff and residents interact with the woman?

The question will enable you to review learners' understanding of dementia and the role of care staff. It will be important to work with the group to explore their immediate response to the question in full. The importance of reassuring the woman, rather than dismissing her story because she has been labelled as 'confused', is important.

An opportunity to review labelling and its effect on staff and clients can be used when drafting a written report. The need to remain factual whilst reporting to a senior member of staff can be emphasised. The danger of gossip to other staff or residents should be explored.

Card 4. H&SC Possible racism

Card 4. H&SC Rana tells the care worker that other residents call her racist names when no staff are around. The care worker confirms that such behaviour is hurtful and unacceptable, and informs the senior member of staff.

Why is this good practice?

- Why is it important to reassure Rana?
- What does Rana telling the care worker say about the relationship between Rana and her case worker?
- What is racism?
- How might Rana be affected by the name calling?
- What can be done to support Rana and the other residents?
- What will be recorded and where?
- What legislation are you aware of to support Rana?
- What is the role and responsibility of care staff towards Rana?

The question enables you to check the learners' understanding of racism and the legal framework. A discussion on the role and responsibility of staff, including the learner on work placement, can be used to contextualise the law. The need to report facts objectively and record accurate accounts is essential.

Card 5. H&SC Possible drug addiction

Card 5. H&SC A care worker notices needle marks on the arms of a young boy whilst playing pool with him. The care worker quietly reports his observation to the senior member of staff.

Why is this good practice?

- How would you react on seeing this?
- Why is it important to remain non-judgemental?
- Why quietly report to a senior member of staff?
- What will you record and why?
- What action may be taken?
- Would you tell anyone else about your concerns? Give a reason for your answer.

The question can be used to focus discussion on the importance of remaining non-judgemental. Equally, the importance of recording suspicions as a factual record with dates, times and clear observations should be highlighted. Learners can be encouraged to discuss the dangers of talking to others about their observations. A review of professional practice could be used to focus discussions about roles and responsibilities for passing on or recording observations.

Card 6. H&SC Possible theft from clients

Card 6. H&SC A care worker tells a colleague that she suspects another colleague of stealing from clients with whom they all work. The colleague acknowledges how difficult this must be for her, and advises her to speak to her line manager as soon as possible.

Why is this good practice?

- Why might it be difficult to tell anyone about this?
- Why acknowledge the difficulty in telling of her suspicions?
- Why should she speak to the line manager and not you?
- Would you tell anyone else about this? Give a reason for your answer.
- How might this affect her relationship with her colleagues if it becomes known she has reported this?
- What will be recorded and where?

The question can be used to discuss the possible conflict for the worker. A discussion on professional practice could be extended by a review of a range of codes of conduct, such as for health and social care. Emphasis on confidentiality can be explored when discussing the effect on relationships between colleagues. The requirement to be discreet and to make accurate records on observations with times, dates and places is important for possible use later if the police are to be involved.

Card 7. H&SC The internet and possible risk factors

Card 7. H&SC A 14-year-old girl with learning disabilities confides in the care worker that she is planning to meet (in person) someone she met in an internet chat room. The care worker talks to her about this and the risks she may be taking. She offers to go along with the girl, and informs the senior member of staff.

Why is this good practice?

- How would you react when hearing this?
- Should you tell a senior member of staff?
- Would you tell the girl that you will have to tell someone else?
- What record, if any, might be kept?
- Can you think of other situations when you should break a confidence?
- What have you learnt about the role of the care worker in this situation?

The question may be difficult for young learners on a Level 2 programme. It will be important for them to consider their non-verbal as well as verbal response to such a revelation in a care setting. An understanding of the risks and the rights of the girl should be explored. Learners should consider their understanding of, and attitude towards, people with learning disabilities.

An understanding of professional relationships built on trust and the importance of sharing this information with an appropriate member of staff will require sensitivity.

Card 8. H&SC Mental health

Card 8. H&SC Whilst in the queue at a supermarket checkout, a nursing assistant overhears colleagues discussing a client with mental health problems. The nursing assistant tells them to stop talking about the client.

Why is this good practice?

- Why should the nursing assistant tell them to stop the conversation?
- What harm could be done to the client by their speaking in a public place?
- What might be the public perception of care staff if their conversation is overheard?
- What do professional codes of conduct tell you about confidentiality?
- Why is it important to protect vulnerable people by maintaining confidentiality?
- What is a common perception of people with mental health issues?
- How might this affect their return to health and normal life?

The question provides an opportunity to review understanding of mental health. A discussion might identify public perception and its impact on individuals. The role of the professional to respect the individual will include a review of the importance of a relationship built on trust and mutual respect. Part of the trust is the requirement of

confidentiality. Learners could identify possible public reaction to hearing care workers talking openly in a public place about clients. They should be able to describe the lack of confidence in the profession as a direct result of such behaviour.

Card 9. H&SC Possible unauthorised access to confidential files

Card 9. H&SC A care worker walks into the office to find a learner on work experience going through client records. She tells her to put the files away, makes a record of the incident and informs the supervisor.

Why is this good practice?

- How would you react in this situation and why?
- Why tell her to put the files away?
- What should the learner have been told as part of her induction?
- Who has access to personal files?
- Can you request the name and contact details of a member of staff or client?
- What should you do if you want access to a file?
- Can clients have access to their files?

The question provides an opportunity to review the Data Protection Act 1998 and its impact on care organisations. It also enables learners to review issues about access to personal files, the use of e-mails and all records held electronically.

Card 10.H&SC Possible criminal record

Card 10.H&SC A relative tells a nurse that he thinks a volunteer at the residential home has a criminal record. The nurse thanks the relative for telling her and asks him not to discuss the matter with anyone else. She then informs the manager.

Why is this good practice?

- Why would the nurse thank the relative for telling her?
- What checks are made before someone is appointed to work with children or vulnerable adults?
- What is the danger of gossip in cases such as this?
- What will you tell the line manager?
- How long do the police keep records on individuals?
- Why might people not declare spent convictions?
- What is the responsibility of the care profession towards clients and staff?

The question enables you to lead learners in considering the reasons for police checks on potential staff and volunteers. Case studies of events in residential homes and children's homes which directly contributed to the necessity for police checks may be useful.

The danger of gossip leading to discrimination (or a court case for slander in extreme cases) could be highlighted. Learners should then be able to make the link with the requirement to keep accurate and factual records and documents.

Card 11. H&SC Possible complication

Card 11. H&SC You are working in a care home for older people. On night duty a patient confides to you that she has pain in her legs but does not want you to 'make a fuss' and tell anyone. You thank her for telling you and encourage her to let the GP know about the pain when they next visit.

Why is this good practice?

- Who would you tell and why?
- Why thank her for telling you?
- Why might she have told you about this?
- Why might you be concerned about her symptoms?
- What will you explain to her about the need to tell someone?
- How can you reassure her that telling someone is sensible, not 'making a fuss'?
- Can you think of another situation where you may have to break a confidence?
- How would you record your concerns?

The question provides a vehicle for a wider discussion on when to break a confidence and why. The learners should look at the issue from the viewpoints of the woman and of the care worker. Learners can identify the key personnel who would need to know.

Underlying the discussions is the necessity to reinforce the physiology and possible cause of the pains in her legs and the implications if left untreated.

Card 12. H&SC Possible suicide

Card 12. H&SC You discover a large number of sleeping pills hidden under the pillow of a young man who is currently staying at the hostel for the homeless where you work. You take them away and tell the senior staff on duty.

Why is this good practice?

- What might be a possible explanation for this secret store?
- Why remove the tablets?
- What difference, if any, may this discovery make in your relationship with the young man?
- What would be the implications if the wrong assumptions were made?
- Who will you tell and why?
- What will be recorded and where?
- Who may be involved in the care of the man?

The question will enable the group to review the role and responsibility of the care worker in maintaining health and safety. Equally, a debate on the rights of the young man and possible invasion of his privacy will extend understanding. The importance of checking the facts and not jumping to conclusions should be highlighted.

The tension between the care worker's relationship with the young man and his overall wellbeing can be discussed. A discussion of the personnel who may be involved can be used to review the 'need-to-know' principle.

Card 13. H&SC Discriminatory remarks

Card 13. H&SC You are on a work placement at a local hospital. Whilst in the canteen you overhear a group of student nurses discuss the personal hygiene of a man who has recently been admitted to the ward where you are working. You tell them to stop talking about the patient.

Why is this good practice?

- Why tell them to stop?
- Is this the behaviour to be expected of nurses?
- What might the implications be for the profession as a whole?
- How might their apparent attitude affect the way they work with the patient?
- How might this affect the attitude of other patients and visitors to the patient?
- How might this affect the patient?
- Would a record be kept of this incident? Give a reason for your answer.

The question offers the opportunity to clarify the meaning of professionalism. It can be used to explore issues of confidentiality beyond written records to include any kind of information about another person and its use and misuse. Learners could be reminded about the Patient's Charter and the UN Convention of Human Rights.

The discussion should highlight the importance of a code of practice. Learners will be able to demonstrate their understanding of the rights of individuals and the impact of negative comments such as these on identity and self-esteem.

Card 14. H&SC Disclosure

Card 14. H&SC During a party, a medical student tells you that one of your patients is an alcoholic. You politely remind her that such matters should not be discussed in public places.

Why is this good practice?

- Why tell her to stop?
- Why is it inappropriate to discuss this at a party?
- What does this tell you about the medical student's professionalism?
- How may such information affect the patient?
- Would you pass on this information to anyone else? Give a reason for your answer.
- What could happen to the medical student if the hospital found out that she was disclosing such information?

The question can be used to explore the possible consequences of disclosing information about patients. It will highlight the importance of strict adherence to codes of practice whilst giving the opportunity to describe why such codes are put in place. The impact on the patient/doctor relationship can be explored.

Card 15. H&SC Patient wishes

Card 15. H&SC You are a health care assistant working on a ward at a local hospital. One of your patients (a young man in his early twenties) has recently been diagnosed with cancer. His sister is going to collect him from the hospital today and he asks you not to tell her about his diagnosis. You agree to respect his wishes and report the conversation to the nurse in charge.

Why is this good practice?

- Why should you respect his wishes?
- Why might he not want his sister to know?
- Has the sister any rights in this case?
- Who will deal with any questions the sister may ask?
- What will be recorded and why?
- What does this tell you about the role of the professionals in this case?

The question is emotive and will probably result in a lively debate. Learners may find a review of the Patients Charter useful when exploring the role and responsibility of the professionals. The importance of an appropriate person to deal with each person involved can be highlighted. The need to record carefully the wishes of the young man could include a debate on whether he should sign and date his recorded decision.

Card 16.H&SC Gossip

Card 16.H&SC A group of patients in the day room want to know why the police are with a patient in a side room. You reassure them that they are not in danger and that the patient is helping the police with their enquiries.

Why is this good practice?

- Why might the patients be asking this?
- What might they be concerned about?
- What right have they to know?
- What are the rights of the patient under police guard?
- What could happen if you ignored the request for information?
- What is your responsibility to both the patient under police guard and other patients?

The question will help you to focus the discussion on the rights and responsibilities of all concerned and the responsibilities of the hospital and of the police. The danger of not giving adequate information whilst preserving the rights of individuals is an important matter to discuss. Learners can explore what they consider to be 'adequate' information to reassure patients.

Card 17. H&SC Disclosure

Card 17. H&SC You are on a work placement at a mental health establishment when a new client is admitted. You know this client as she was in the year above you at school. One of your colleagues asks you what she was like then. Although you knew her well, you refuse to pass on any information.

Why is this good practice?

- Why should you not discuss this with your colleague?
- How might the client feel if you did?
- Can you foresee any other problems in this situation?
- Is there any situation where you should pass on information about your acquaintance?
- Does this situation have any implications for you continuing at your placement?

The question gives learners the opportunity to examine the ethical issues that may arise when the lines between personal and professional become blurred. The learners should be supported to examine the conflicts of interest that arise and how they may be able to deal with the situation. A group discussion of professionalism and its practical implications could be encouraged.

Card 18.H&SC No need to know

Card 18.H&SC A patient's relative asks the district nurse with whom you are placed to tell him what is wrong with his relative. The nurse tells him politely that she cannot disclose such information without the permission of the patient.

Why is this good practice?

- Why is this information confidential?
- Should a nurse ever be able to tell a relative?
- Give a reason for your answer.
- Who is the most appropriate person to give such information?
- Would it make a difference if the patient were under 18?
- What might happen to the nurse/patient relationship if this confidence were shared with a relative?
- What could be the result for the nurse if she betrays this confidence?

The question provides an opportunity to review professional responsibilities. The different roles and responsibilities for a nurse and a doctor should be explored and understood. Learners should consider the clear boundaries between the two. A discussion to determine when, if ever, a nurse could divulge such information can lead to the learners deciding how they might handle such a situation and why.

Learners should be able to describe possible effects on the patient/nurse relationship if confidences are broken. Learners should be aware of their organisation's disciplinary procedures.

Card 19. H&SC Request to see own records

Card 19. H&SC Whilst you are working as a health care assistant on a ward for people with mental illness, a patient asks to see her medical records. You tell the patient that you will pass on her request to the nurse in charge.

Why is this good practice?

- Has the patient the right to review her care plan?
- What does this tell you about the way records should be kept?
- What is meant by factual records?
- How do you ensure that records are objective?
- Why do people think that they cannot see what is recorded about them?
- Why is it important to sign and date entries on records?
- What have you learnt about records and access to information?

The question can be used to summarise learning to date. Learners should review the kind of information stored on a patient file and consider the different people who have access to it. Care in recording information to accurately reflect observations, discussions and advice given is essential.

The dangers of inaccurate or subjective comment should be explored, together with the possible impact on the patient and the doctor. Learners may draft a checklist or guidance sheet for new doctors on how to record factual information.

Card 20. H&SC Disclosure of mental health history

Card 20. H&SC Whilst you are on a work placement with the community psychiatric nurse, a client tells you that he has decided not to disclose his past history of mental illness on a job application for office work. You say that he has the right not to disclose this information.

Why is this good practice?

- Why might the man not wish to disclose his past history?
- What assumptions may prospective employers make if he were to tell them?
- What does this tell you about the way the public views people with mental health problems?
- Do you think he should tell the truth, and if so, why?
- Who will know the man's history?
- What records are likely to have been kept about him?

The question enables you to explore learners' understanding of labelling and stereotyping. A discussion to review the situation from the point of view of the client, the prospective employer and prospective work colleagues could be used to draw out stereotypical views and possible reasons for them. Such a discussion will enable learners to re-evaluate their own views. The range of people who will know the man's history

could be considered, such as family members, GP and hospital consultants. In each case the learners could decide what records are likely to be kept and why that individual should know about the man. Careful discussion will highlight the tension between the rights of an individual with mental health problems and the rights of the general public. The importance of total professionalism regarding respect for the individual and retaining confidentiality should be reinforced.



'Room for improvement' cards for early years (EY)

Each card contains an example of poor practice.

Below each card you will find a question and a series of prompts that may help to consolidate understanding of the issues involved.

Some acceptable responses are given after the questions/prompts/ further questioning. These are not exhaustive, but suggest areas that the responses may cover. The teacher or trainer will use his or her discretion to decide whether responses not included here are also correct.

It will help you to find the right page if you ask the learner to read out the card number as well as the card.

Please note that the title 'early years practitioner' (EYP) is used to denote all staff working in the sector.

Card 1.EY Need to know

Card 1.EY Jim is in hospital. Another parent asks you about his progress and, without his parents' permission, you discuss Jim.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: You are not in a position to give out this sensitive and very private information.

Prompts

How could you have refused to give information without offending the enquiring parent?

Further questioning

How could you improve the situation?

Answer: Be clear about your responsibility under the Data Protection Act 1998 when handling sensitive information.

Card 2. EY Disclosure

Card 2. EY You disclose information about a child to your boyfriend's mum.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: Your boyfriend's mum does not have a need or a right to know this information.

Prompts

What right does your boyfriend's mum have to information?

Why might she want the information?

How will she feel if you refuse?

Further questioning

Your boyfriend's mum is probably very interested in your career and you may risk offending her if you do not discuss it. You should explain to her that you have to maintain confidentiality at all times.

You could discuss your role at work in very general terms – for example, “Today we had the water toys out because it was such a warm day. The children learn so much from playing with water, but the supervision is something we have to take extra care with.”

Card 3. EY Careless talk

Card 3. EY A man you have not met before comes alone to parents' evening, introducing himself as Sohely's daddy. As you serve him tea, you chatter about what a lovely girl Sohely is and how clever she is.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: You cannot be sure that he is who he says he is.

Prompts

- What should you do to check that he is who he says he is?
- Should you be chattering about Sohely in this informal way?

Further questioning

How can you deal with this situation?

Answer: Be polite and show an interest in Sohely, but explain that you cannot discuss his daughter's progress and refer him to the class teacher.

Card 4. EY Right to report

Card 4. EY One of the children in your play scheme is a neighbour. His mother is a friend and you two often discuss the children. You know that the boy wets the bed at night and you tell the staff at the play scheme.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: That information was given to you as a friend. It does not have an impact on the boy's attendance at the scheme and therefore the other staff have no right to know.

Prompts

Why is it important not to bring personal relationships into the workplace?

Would it be in the boy's best interests for this information to be made available to all?

Further questioning

How could you handle this?

Answer: Respect the fact that the information is given to you as a friend. It should not involve you professionally unless it is in the best interest of the child.

Card 5.EY Open file

Card 5.EY You leave the record you have made of a child's observation in the staffroom for all to see.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: People who do not have a need to know might see the observation.

Prompts

Who might see the observation?

Do they have a right to see it?

Further questioning

What should you do with the observation?

Answer: Keep it with the rest of the child's records in a locked filing cabinet, to which only authorised personnel have access.

Some nurseries store the children's records in a classroom. What are the issues for confidentiality in doing this?

Answer: People are interested in each other. Someone who does not have any need for the information may look at it out of curiosity.

Card 6.EY Respecting wishes

Card 6.EY Kelly's mother tells you that she is expecting another baby. She asks you not to tell anyone yet as she wants to tell her brother who is on holiday for two weeks. You are so excited with the news you let it slip to staff at lunchtime.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: You were asked not to tell anyone. You have ignored the mother's right to privacy and you have given her reason to mistrust you.

Prompts

What should you do now you have made this mistake?

Should someone explain to the mother what has happened?

What could happen if nobody gives the mother an explanation?

Further questioning

How could you recover the situation without causing too much further damage?

Do you think it would be appropriate to apologise to the mother?

How can you avoid this happening again?

Card 7.EY Gossip

Card 7.EY You are working as a live-in nanny and you share information on the children with the family cleaner.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: If the cleaner needs to know information, it is the responsibility of the family to tell her, not you.

Prompts

How could the children benefit from the cleaner having the information?

How might the children suffer as a result of the cleaner having the information?

How might this affect your relationship with your employer?

Further questioning

Is there any situation when it would be OK to give the cleaner information?

Answer: Only if it poses a health and safety risk to the cleaner personally.

Card 8.EY Consequences

Card 8.EY You are on a work placement in a baby clinic. The clinic assistant tells you that one of the children is being abused.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: You have no right to know this information and you now have the dilemma of what to do with the information.

Prompts

Do you inform the health visitor responsible for the child of what you have been told?

How will this affect your opinion of the family and your feelings for the child?

Further questioning

Why do you think the clinic assistant gave you this information?

What action should the health visitor take to protect the family?

How will you deal with the information you now have?

Card 9.EY Hearsay

Card 9.EY A friend on your course tells you that your lecturer has been seen kissing one of the male teachers from your placement in front of the children.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: This is hearsay, and can be potentially very damaging to all concerned. If it is true, it is the responsibility of the person who witnessed it to inform his or her supervisor.

Prompts

What are the situations where you should become involved in passing on information even if you do not have hard evidence?

Further questioning

Who should you talk to about this?

Card 10.EY Right to privacy

Card 10.EY A child at your pre-school setting has head lice. You inform other parents of this, naming the child.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: It is important that you protect the privacy of the child and his family whilst also alerting other parents to the situation.

Prompts

What reaction might the other parents have to the child with head lice?

Do you think it would be better to have told the parents that there is an outbreak of head lice without naming the child?

Further questioning

Is this something you have ever seen happen?

What action do you think the family of the child could take against the pre-school setting?

Card 11.EY Overheard

Card 11.EY You are on a work placement at a special school. Whilst sitting in the staff room having a coffee you and a member of staff continue a conversation about a child's personal care needs whilst someone else is making a telephone call.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: The person at the other end of the phone may be able to hear what you and your colleague are saying.

Prompts

When you are talking, are you making sure that no one else can hear?
Who else might be able to hear?

Further questioning

How could you improve the situation?

Answer: Make sure that you do not discuss information when anyone else can hear; make sure that you only discuss information in a secure environment. Wait for the person to finish the telephone call.

Card 12.EY Policy matters

Card 12.EY You start a work placement at a small private day nursery. The nursery only opened a month ago. You ask your supervisor (the owner) if you can read the nursery's confidentiality policy. Your supervisor tells you that there isn't one as she hasn't had time to write it yet.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: A confidentiality policy is essential to ensure good practice.

Prompts

How will people know what their responsibilities are?

Further questioning

How does a policy promote confidentiality?

What are the risks for the nursery of not having a confidentiality policy?

What should be in a confidentiality policy?

Card 13.EY Identity

Card 13.EY You are on a work placement at a private day nursery. On a particularly busy day a man phones and says he is the father of one of the children. He asks how this child is, and you tell him.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: You cannot be sure who they are, and even if they are who they say they are, you have taken unnecessary risks with information.

Prompts

How is it possible to check that they are who they say they are?

Further questioning

How can you deal with this situation?

Answer: Ask your placement supervisor to take the call or give you advice on how to deal with the situation. Tell the person that you cannot give out that information over the telephone.

Card 14. EY Dignity

Card 14. EY At the school where you are on a work placement there is a pupil who has a physical disability. This child requires personal care as he is doubly incontinent. You notice a smell and you call across to your supervisor and tell her that he needs 'changing'.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: This is a delicate subject and requires tact. In calling across the room you have told everybody else as well as your supervisor.

Prompts

How would you feel if you were the child?

Further questioning

How should you handle this?

What might be the effects of your actions?

Card 15.EY Third party

Card 15.EY A child at the school where you are on a work placement has been off today. You ask the parent of another child whether she knows why he has been off.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: You have inadvertently breached the boy's confidentiality. You have told the other parent that he is off school. Also you have involved another parent in something that is not their business.

Prompts

How have you breached confidentiality here?

Is it in the best interest of the boy to ask another parent?

Further questioning

If parents feel that they cannot trust the school, what might that mean to the relationship between parents and staff?

What repercussions might this have?

Card 16.EY Unnecessary information

Card 16.EY You are on a work placement in a day nursery. On the page for January 10th in the nursery diary, you write in that one of the children (Razia) will not be attending as she will be at her grandmother's funeral.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: Not all staff need to know why Razia will not be attending on that day.

Prompts

Does your placement have this type of diary?

If so, who can look at the diary?

Where is it kept?

Is it a secure document?

Further questioning

How could you still record that Razia will not be in but not breach her confidentiality?

How might Razia feel if she knew what you had written in the diary?

Card 17.EY Poor practice

Card 17.EY Give three examples of poor confidentiality practices. REMEMBER not to breach confidentiality in your answer.

Why are these examples of poor practice?

Question

How do your three examples breach confidentiality?

Prompts

If you cannot think of an example, tell us how your workplace/placement safeguards confidentiality.

Further questioning

How could you improve the situations that you have described?

What might have been the effects of the situations that you have described?

Card 18.EY Curiosity

Card 18.EY You are a classroom assistant at an infant school. One of the children in your class has a skin condition. As the children are leaving one day, the school cleaner points to the child and says "Ah, isn't that a shame; what's wrong with him?". You tell her he has psoriasis.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: The cleaner does not need to know this information. Some conditions, however, may be aggravated by certain cleaning products, in which case the cleaner may need to know not to use these products. Usually he or she should only have access to this information if the child or child's parents tell the cleaner directly.

Prompts

How would it benefit the child for the cleaner to know this?

Further questioning

If the cleaner does have this information should she have to keep confidentiality in the same way as you do?

Who is responsible for ensuring the cleaner knows how to keep this information confidential?

Card 19. EY Responsibility

Card 19. EY Whilst on a work placement, you notice that one of the children has bruises on her arms and legs and seems more withdrawn than usual. You are concerned, but you do nothing about it.

Why is this poor practice?

Question

What should you do in this situation, and why?

Answer: This *could* be a sign of the child being deliberately hurt by somebody, so you should report it immediately to your supervisor.

Prompts

There could be an innocent explanation for the bruises and the child's behaviour, but can you run that risk?

Further questioning

Should you tell the child that you will be talking to your supervisor and that you are concerned?

What might be the effects of doing nothing in this situation?

Card 20.EY Unprofessional

Card 20.EY Whilst on a work placement at a school you write an observation of a child, which you intend to use for a college assignment. You include the full name of the child.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: Nobody should be able to identify the child from your work as there is too great a risk of confidentiality being breached.

Prompts

What if your bag is stolen, or your home is broken into?

Further questioning

How could you protect the child or children that you are observing?

'Room for improvement' cards for health and social care (H&SC)

Each card contains an example of poor practice.

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It will help you to find the right page if you ask the learner to read out the card number as well as the card.

Card 1. H&SC Overhearing conversations

Card 1. H&SC Whilst someone is on the telephone, you and your colleague continue to discuss sensitive information about a client.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: The person at the end of the phone may hear what you and your colleague are saying.

Prompts

When you are talking, are you making sure that no one else can hear?
Who else might be able to hear?

Further questioning

How could you improve the situation?

Answer: Make sure that you do not discuss information when anyone else can hear; make sure that you only discuss information in a secure environment. Wait for the person to finish the telephone call.

Card 2. H&SC Disclosing information to friends

Card 2. H&SC You disclose client information to your friends at the pub.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: Your friends do not have a need or a right to know.

Prompts

What right do your friends have to the information?

Do you have a right to pass on the information to your friends?

Further questioning

Is it always easy to keep information from your friends? People are interested in what we do as care workers. How can you deal with this?

Answer: Explain to them that you cannot discuss anything about clients. You can talk about how you feel – for example, “I have had a really tough day at work,” but without giving away confidential information.

Card 3. H&SC Telephone calls

Card 3. H&SC You pass information about one of your clients to someone over the telephone, without verifying his identity.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: You cannot be sure of the caller's identity, and even if he is who he says he is, you have taken unnecessary risks with your client's information.

Prompts

How is it possible to check the identity of the caller?

Further questioning

How can you deal with this situation?

Answer: Get your supervisor. Tell the caller that you cannot give out that information over the telephone.

Card 4. H&SC Telling the receptionist

Card 4. H&SC When telephoning the doctor about a client, you tell the receptionist what is wrong with the client.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: The receptionist does not need to know this information.

Prompts

Why does the receptionist need this information?

Is it in the best interest of the client that you give the receptionist this information?

Further questioning

How could you handle this?

Answer: Politely say that you do not have permission to discuss this with anyone other than the doctor.

Card 5. H&SC Unguarded notes

Card 5. H&SC You leave notes out in full view of others.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: People who do not have a need to know might see the notes.

Prompts

Who might see the notes?

Do they have a right to see them?

Further questioning

What should you do with the notes instead?

Answer: Keep them locked away.

Some care establishments store their care plans in communal areas. What are the issues for confidentiality in doing this?

Answer: People are interested in each other and will often look at care plans if they are left out.

Card 6. H&SC Appointment with the doctor

Card 6. H&SC On the page for January 10th in the diary, you write in that Billy has an appointment with the doctor about his 'piles'.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: People not concerned with Billy's care might see this and they do not have a need to know.

Prompts

Who can look at the diary?

Where is it kept?

Is it a secure document?

Further questioning

How could you still record that Billy has a doctor's appointment but not breach his confidentiality?

How might Billy feel if he knew what you had written in the diary?

Card 7. H&SC Disclosing information to family

Card 7. H&SC You share information with a member of a client's family, without asking the client's permission first.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: You should always ask the permission of the client before passing information on.

Prompts

Whose information is it?

Who is the only person that can give you permission to pass this information on?

Further questioning

What if the client says that you cannot pass the information on?

How can you make sure that everyone else knows not to pass this information on?

Card 8. H&SC No need to know

Card 8. H&SC You discuss a client's condition with the cleaner.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: Unless the cleaner has a need to know this information, then they should only have access to it if the client tells them directly.

Prompts

How would it benefit the client for the cleaner to know this?

Further questioning

If the cleaner does have this information (either because the client has told them or they have a need to know) should they have to keep confidentiality in the same way as you do?

How can you make sure the cleaner knows how to keep this information confidential?

Card 9. H&SC Possible risk of harm

Card 9. H&SC A client with learning disabilities tells you in secret that another member of staff is her boyfriend. She tells you that they meet in secret and that this person loves her and gives her lots of kisses. You decide to keep this to yourself.

Why is this poor practice?

Question

Should you breach confidentiality?

Answer: If true, there is a real risk of harm to the client and/or to others. If you do nothing about it then you are failing in your duty of care.

Prompts

What are the situations where you have to pass information on even if the client does not want you to?

Further questioning

Who should you talk to about this? What would you do if this is the person whom the client has named?

Card 10.H&SC Taking work home

Card 10.H&SC You are asked to update a client's care plan. You run out of time at work so you decide to take the care plans home to work on.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: It is important that confidential documents stay in a secure environment, otherwise they could be lost, stolen or seen by someone who should not see them.

Prompts

What if your bag is stolen, or your home is broken into?

Further questioning

Is this something you have ever seen happening?

What would you do if you saw a colleague taking documents home?

Answer: Remind the person of the reasons why they should not take information home.

Card 11. H&SC Relative's enquiry

Card 11. H&SC You work in a care home for older people. Jim, one of your service users, is in hospital. The relative of another service user asks you about his progress and, without his permission, you discuss him.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: You are not in a position to give out this sensitive and private information. Without Jim's express permission you should not give out any information

Prompts

How could you have refused to give information without offending the enquiring relative?

Further questioning

How could you improve the situation?

Answer: Be clear about your responsibility under the Data Protection Act 1998 when handling sensitive information.

How would you feel if you were the person who had asked about Jim?

Card 12. H&SC Discussing clients' needs

Card 12. H&SC You are on placement at a local care home. Your partner's mum, who lives in the same road as the care home, asks you why one of the clients uses a wheelchair. You tell her.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: Your partner's mum does not have a need or a right to know this information.

Prompts

What right does your partner's mum have to information?

Why might she want the information?

How will she feel if you refuse?

Further questioning

What are the dangers of giving out information in this way? Think about the dangers for you, the client and your partner's mum.

Your partner's mum is probably very interested in your career and you may risk offending her if you do not discuss it. How could you deal with this?

Answer: You should explain to her that you have to maintain confidentiality at all times. You could discuss your role at work in very general terms or talk about yourself – for example, "We all went out today, I had a great time!"

Card 13. H&SC Identity

Card 13. H&SC A man you have not met before comes along to a fête that has been put on by the care home where you are working. He introduces himself as 'Esther's son'. As you serve him tea, you chat about what a lovely woman Esther is.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: You cannot be sure that he is who he says he is.

Prompts

What could you do to check his identity?

Should you be talking about Esther in this informal way?

Further questioning

How can you deal with this situation?

Answer: Be polite and show an interest in what he has to say, but explain that you cannot discuss Esther, and refer him to your supervisor or care manager.

Card 14. H&SC Chatter

Card 14. H&SC One of the patients on the ward where you work lives next door to your mother. Your mother has told you that this neighbour cross dresses. During a chat over coffee you tell your work colleagues this.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: That information is sensitive and has no relevance to the patient's care. You have a responsibility to your clients as a professional to keep such information confidential.

Prompts

Why is it important not to bring personal relationships into the workplace?

Would it be in the patient's best interests for this information to be made available to all?

Further questioning

How could you handle this?

Answer: Simply respect the fact that the information is given to you as a private individual. It should not involve you professionally unless it is in the best interests of the patient. You also need to make sure that you do not discuss this patient with your mother.

Card 15.H&SC Overhearing

Card 15.H&SC You are on placement at a care home for people with learning disabilities. A service user has received a letter and asks you to read it to him as he can't find his glasses. You read it to him in front of other clients.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: The letter is to the service user only. Other people could hear what the letter has to say.

Prompts

Is it important to make sure that no one else hears the contents of the letter?

Further questioning

How could you make sure that no one else hears?

If the service user gave you permission to read the letter with everyone else around, would it be OK to do so?

Card 16. H&SC Possible abuse

Card 16. H&SC Whilst on placement at a care home for older people you notice that one of the service users has a bruise on her arm. You ask her about it and she quickly covers it up and changes the subject. You are puzzled, but you do nothing about it.

Why is this poor practice?

Question

Should you breach confidentiality?

Answer: This could be a sign of abuse, so you should report it immediately to your supervisor or care manager.

Prompts

There could be an innocent explanation for the bruise and the service user's behaviour, but can you run that risk?

Further questioning

Should you tell the service user that you will be talking to your supervisor and that you are concerned?

What might be the effects of doing nothing in this situation?

This *may* be an indicator of abuse. What are the dangers of reporting this to one person? (What if your supervisor is the perpetrator?)

You are reporting this because you have a duty of care to the service user. What does 'duty of care' mean?

Card 17. H&SC Respecting private homes

Card 17. H&SC You are working as a live-in carer. One day, whilst your employer and his family are out, two of your friends call round and you take them on a tour around the house.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: Our homes contain a lot of information about us, and to take people around would mean that they might have access to information that they have no right to. You have also treated your employer's home as your own. This is totally inappropriate.

Prompts

How would you feel if people were allowed to wander around your home?

How might your employer suffer as a result of this?

How might this affect your relationship with your employer?

Further questioning

What are the risks in this situation?

How might your employer feel on finding out about this?

What are the risks for you in this situation?

Card 18. H&SC Previous abuse

Card 18. H&SC Whilst on a work placement, a member of staff tells you that a service user who comes in for respite care was abused when she was younger. You do not work in the respite care unit.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: You have no right or need to know this extremely sensitive information. You also now have to deal with hearing this upsetting information.

Prompts

As you will not be working with this client, why should you know this information?

Further questioning

Is there any situation where you must be told this information?

As a learner on placement, what benefits to the service user could there be in you knowing this?

Why might the member of staff be telling you this?

What are the risks of her telling you this?

Card 19. H&SC Chatter 2

Card 19. H&SC You are on a work placement on an orthopaedic ward. A colleague tells you that the ward manager is bisexual. You tell this to your friends on your course.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: This is hearsay, and can be potentially very damaging to all concerned. A person's sexual orientation is personal information and should not be the subject of gossip.

Prompts

Do you have a right to pass this information on? There are actually two examples of poor practice here. What are they?

Further questioning

When your colleague tells you this, what should you do?

Card 20. H&SC MRSA

Card 20. H&SC Whilst you are on a work placement at a care home for older people, one of the service users contracts methicillin-resistant Staphylococcus aureus (MRSA). You inform other service users of this, naming the woman.

Why is this poor practice?

Question

How is this breaching confidentiality?

Answer: It is important that you protect the woman's privacy. Anyone who needs to know (that is, those people that have direct contact with her) should have this information in the best interests of all service users, but you should not give this information to anyone else.

Prompts

How might the other service users react to the woman who has contracted MRSA?

How might the woman feel if she found out that everybody else knew?

Further questioning

Is this something you have ever seen happen? What did you do?

What action do you think the service user could take against your placement?



'Question' cards for early years (EY)

Each card has the question and an answer on the front.

The series of prompts may help to extend and consolidate understanding of the issues involved in the information presented.

It will help you to find the right page if you ask the learner to read out the card number as well as the card.

Please note that the title 'early years practitioner' (EYP) is used to denote all staff working in the sector.

You may wish to review and adapt questions 1–6 Health and Social Care (pp. 135–141). These are generic questions applying equally to the work of both professions.

Card 1. EY Bullying

Card 1. EY On a play-scheme, a six-year-old boy is reluctant to join in the games. He tells the EYP that he is being picked on by other boys. He doesn't want anyone to know.

What should the EYP do?

Answer

Reassure him and tell the lead playworker.

- Why does the EYP need to tell the lead playworker?
- Why is it important to reassure him?
- Why do you think it is important for him to trust the EYP?
- How would you establish if the boy is being picked on?
- What do you understand by the term 'bullying'?
- Do you think bullying could have an effect on the boy?
- How might it affect the boy?
- Why does the boy not want to tell anyone else?
- Does your placement have an anti-bullying policy?

The question enables you to explore a range of issues about professional relationships, the importance of trust and respect for the boy and the boundaries of the roles and responsibilities of staff.

Card 2. EY Abortion information

Card 2. EY An EYP working in a hospital gets on well with one of the mothers who has just had a baby. She is upset to find out from a card index that the woman once had an abortion, which she is against.

What should she do?

Answer

She should NOT repeat what she has found out, but should seek support for her feelings.

- Should this information be on a card index?
- Should the EYP have a right to know that information?
- What difference may it make to the relationship between the EYP and the woman?
- How might the woman feel if she knew her card index contained this information?
- What action could the mother take if she knew that the EYP had this information?
- In this situation who would you turn to, to discuss your feelings?
- Why is it important for professionals to have a place to discuss aspects of their work in confidence?
- Have you heard of the term 'reflective practice'?

The question provides a focus for the learners to examine the necessity to remain non-judgemental. It raises issues about the appropriate sharing and storage of recorded information and access to it.



It gives learners an opportunity to understand the importance of their own experiences and emotional reactions and the support available to them.

Card 3. EY Prison

Card 3. EY One of the children in a reception class tells the EYP that his daddy is in prison.

What should the EYP do?

Answer

Thank him for telling her, reassure him that she will listen to him and explain that she needs to tell the class teacher.

- Why would the EYP thank the child for telling her?
- What does his confiding in the EYP tell you about the relationship between the child and the EYP?
- Why does the EYP need to reassure him that she will listen to him?
- Why tell the class teacher?
- What will the class teacher do with the information?
- What effect might this information have on the child if it became commonly known?
- In this situation would you change your opinion of the child, now you know that his daddy is in prison?
- And how might you be able to support the child better, now you have this information?

The question helps you to focus the learners on the importance of having a trusting relationship. Sensitivity to the needs of the child is required.

It is important to have access to information that is likely to impact on the wellbeing of the child. Learners may have their own value judgements in relation to our penal system.

Card 4. EY Gossip

Card 4. EY You attend your local parent and toddler group with the family with whom you are on placement. The parents are all talking about a family who have moved into the street. You know this family and you think it would be OK to join this conversation.

Should you join in the conversation?

Answer

No. Why?

- What does it mean to gossip?
- Would there ever be an occasion when it would be OK to join in this conversation?
- Why is it wrong to gossip?
- Have you ever been the victim of gossip? How did it make you feel?
- What effect could the gossiping have on the new family?
- Why is it important to protect the privacy of the family?
- Do you think that going to this toddler group is valuable as part of your placement experience?
- Do you understand what is meant by the term 'professionalism'?
- How does gossip have a negative effect on professionalism?

The question provides an opportunity to think carefully about the damaging effects of idle chat. It helps the learners explore some of the reasons why people gossip.

It highlights how easy it is to go along with this damaging practice. Issues of privacy can be addressed. The learners are encouraged to explore what it means to be a professional and to look at the principles of professional practice.

Card 5. EY Families and priorities

Card 5. EY An eight-year-old boy at a dance class tells you that his mother is giving herself injections and then passing out.

What should you do?

Answer

Listen to what the boy tells you. Don't probe for information, but reassure him. Tell him that you will have to pass this on.

- Why is it important to listen to the boy?
- Why does he need to feel reassured?
- Why do you not probe the boy for further information?
- Who would you pass this information to?
- Do you think you should confront his mother with this information?
- What might happen if you did?
- Do you think that there is any help for the boy and his family?
- What sort of help might be available?
- Who could provide this help?
- What might the boy be afraid of?
- What is your employer's child-protection policy?

This question will be a challenge for learners. They will be encouraged to look holistically at the family's needs and explore the types of services that may be available to them. It should introduce the learners to the

importance of putting the welfare of the child above all other priorities and why this is important. The Children Act, parental responsibility and care for the carers are all important areas of knowledge that can be investigated.

Card 6.EY Applicants' details

Card 6.EY During the lunch break, teachers discuss applications for the post of new classroom assistant. They pass round the file containing the applicants' personal details.

Is there anything wrong with this?

Answer

Yes. Why?

- Do you think the teachers should be discussing the applications in their lunch break?
- Why is it not appropriate for everyone to see the file?
- Who, in your view, should see the information?
- What could the consequences of everyone seeing this file be for the applicants?
- Do you think that the teachers are breaching confidentiality?
- What might happen to the teachers if they were found to have breached confidentiality?
- Does your placement have a policy for recruiting new staff? Check out what the procedure is for processing applications for jobs at your placement.
- How would you react if you applied for a job and you found out that everyone had been given access to all your information?

The question provides the opportunity to review methods of communication. Learners will be able to look at the rights of the individual in relation to the protection of their data. They will be encouraged to investigate the recruitment process in relation to the Data Protection Act 1998.

Card 7. EY Children's records

Card 7. EY A childminder with whom you are on placement keeps the children's records in a drawer in her kitchen. It is not lockable.

How could confidentiality be improved?

Answer

Lock the records in a filing cabinet and make sure that the key is kept securely.

- What may happen if the childminder leaves these records in the kitchen cabinet?
- Do you think it is fair that the rest of the family have access to this information?
- What procedure should the childminder have for storing recorded information?
- From whom might she get advice about what to do with the records?
- What should she do if a parent wants to see the records?
- What should she do with the records if the child leaves her care?

The question can become a focus for discussing experience on work placements. It will help the learners to understand the Data Protection Act 1998 and how this applies to all sectors of childcare and early years. It will focus the learners on the dilemma of what to do with issues of recorded information, access and storage. The learners could look at the function of the National Childminding Association.

Card 8.EY Chickenpox

Card 8.EY Two-year-old Cheung has chickenpox. The nursery sends out a letter to warn other parents.

Should they name Cheung in the letter?

Answer

No. Why?

- Why would the nursery need to warn other parents?
- Is a letter a good method of communication for this purpose?
- Why should the nursery not name Cheung?
- What might happen if the nursery did name Cheung?
- What action could Cheung's parents take against the nursery if he were named?
- How do you think other parents would feel if they received a letter naming Cheung?
- How might the other parents respond?

The question should provoke wide-ranging discussions on infectious illness, incubation periods and the public health responsibility of the employer. Methods of communication and importance of protecting someone's identity can be discussed. The learners can also begin to explore issues about handling data sensitively and objectively.

Card 9. EY Midday supervisor

Card 9. EY Derrick has dyslexia. The midday supervisor observes his support worker reading with him in the corridor and asks about the dyslexia.

Should the support worker discuss Derrick with the midday supervisor?

Answer

No. Why?

- Why should the support worker refuse to give the midday supervisor this information?
- Why would the midday supervisor want to know?
- What effect could it have on Derrick if the midday supervisor had this information?
- What personal information on the children should the midday supervisor have?
- How will the support worker explain that she is not able to give that information?
- What might the midday supervisor's reaction be?
- With whom should the support worker discuss this incident?

- Should the support worker keep a record of what has happened?
- Is the corridor an appropriate place for the support worker to be seeing Derrick?
- What is the disciplinary policy for your work placement?

The question provides the opportunity to look at who should and should not receive information about a child's development and wellbeing. It covers the sensitive issue of what is a 'professional need to know' scenario. It covers roles and responsibilities and boundaries.

Card 10.EY Depression

Card 10.EY Seven-year-old Jason's mother is in hospital under the Mental Health Act 1983. She has a history of suffering from depression. This is commonly known by many parents.

Is it OK for you to discuss Jason's situation freely?

Answer

No. Why?

- Why should you not discuss Jason's situation freely?
- Do you think you would be helping or hindering Jason if you did discuss his mother?
- What might the reaction of some people be when they know Jason's mother is mentally ill?
- Do you think people in general understand about mental health?
- Why do you need to know that Jason's mother has poor mental health?
- Do you think it could ever be supportive to Jason for all these people to know what is wrong with his mother?
- Look at the rights of the individual under the Mental Health Act 1983.

The question requires the learners to think through all the implications for the parent, the child and the relationships with the school if the situation is not handled well.

The issues of stigma and discrimination should be explored with their impact on self-esteem for both child and parent. The learners will be introduced to the Mental Health Act 1983.

Card 11.EY Child identification

Card 11.EY You have done an observation on a child.

Is it OK to use the observation in your folder for college?

Answer

Yes, if you have permission, follow the employer's confidentiality policy, and the child cannot be identified.

- Why must you not use the child's name, or other personal details in your work?
- How would you ensure that no one could recognise the child if they read your work?
- What might happen if you did not protect the child's identity?
- Do you know who will have access to your observation?
- Why is it important to know who has access to your observation?
- Why do you require permission to use the information?
- What does your early years setting do to protect information on the children and families?

The question enables you to explore a range of issues about the use of someone's information, what can happen if information is not protected and who should have access to the observation.

Card 12.EY Sharing information

Card 12.EY A mother asks you for a child's home telephone number. She wants to invite the little girl to her son's birthday party.

What would you do?

Answer

Say no.

- Why should you say no?
- What could you offer to do to help in this situation?
- Would you suggest that the mother speak to the little girl's parent at collection time?
- Would it be OK to offer to pass on the mother's phone number to the parent of the little girl if she gives her permission?
- Who would you check this out with?
- What could happen if you just hand over the little girl's phone number?
- Does your early years setting have a policy on what to do in this situation?

The question helps the learners to understand the importance of not sharing information, no matter how 'pleasant' the reason. What could go wrong if the learners give out information without permission? What policies and procedures are in place in their early years setting to control the use of information?

Card 13.EY Daddy's cuddle

Card 13.EY A seven-year-old child tells you that his daddy wakes him at night to give him a cuddle. He has been told to keep this a secret.

What do you do?

Answer

Thank him for telling you his secret. Reassure him, but explain that you must pass this on to the class teacher.

- Why do you need to thank the boy?
- Why would you reassure him that he has done the right thing in telling you?
- Why would you tell the class teacher?
- What will you say to the class teacher?
- Why do you think the father has asked the boy to keep the 'cuddle' a secret?
- Why is it wrong for children to be told to keep secrets?
- What do you think the class teacher will do with the information?

The question helps you to focus the learners on the importance of listening to children. It will help the learners to understand what to do with information that gives them cause for concern. It will make them think about the importance of having a trusting relationship with the children, why children should not keep secrets and why childcare and

early years workers are not allowed to keep secrets either. An exploration of what the teacher will do with the information could introduce the learners to the child-protection procedure.

Card 14. EY Alone at night

Card 14. EY An EYP lives next door to a child who attends the nursery where she works. She has observed that the child is being left alone in the house at night. The child tells another member of staff that she is being left alone.

Should the EYP say that she has observed this?

Answer

Yes. Why?

- Why do you think that the child has said that she is being left alone?
- Why do you think that the parents are leaving the child alone?
- Do you think it ever acceptable for the child to be left alone at night?
- Should you approach the parents and tell them that you know what they are doing?
- Should you tell the parents that their child has 'told' on them?
- Do you think you should have reported this earlier?
- What are the risks to the child of being left alone?
- Do you think the parents are meeting their parental responsibility as laid down in the Children Act 1989?

The question provides an opportunity to review the role and responsibilities of the employee, to explore safety issues of a child left alone and to understand the importance of sharing important

information if it is considered that a child's wellbeing and safety are at risk. It will help the learners explore parental responsibility. It will also help the learners look at moral and ethical issues relating to confidentiality.

Card 15.EY Victimisation?

Card 15.EY A mother is upset because she believes her child is being victimised by a member of staff. She demands to see the child's records.

What should happen?

Answer

The child's key worker should show her the records.

- Why do you think the mother wants to see the records?
- What sort of information do you think she is expecting to see?
- What information should she find?
- Why should the mother be able to see the records?
- What law allows her to do this?
- Why would you refer the mother to your supervisor or the key worker rather than deal with her yourself?
- If the mother is not satisfied with what she reads, what action can she take?

This question will enable the learners to explore possible scenarios and outcomes. It can be used to ensure that they appreciate the importance of record keeping. It will be useful to explore the practical application of laws relating to confidentiality. This question will also help the learners to consider emotional responses and the appropriate ways in which these should be handled.

Card 16.EY Evening invitation

Card 16.EY You have started work as a daily nanny for a single father. He invites you out one evening so that you can get to know each other. He thinks that this will help you look after his child better.

Do you accept his offer?

Answer

No. Why?

- Why might this man want to take you out in the evening?
- Why might it make your job harder if you accept the offer?
- How can you handle this situation without appearing rude?
- Do you think that being friendly is the same as being friends?
- Do you think it is appropriate to be friends with this man?
- How might this put the child you are looking after at risk?
- How might an evening out with this man impact on your professional role in maintaining confidentiality?

The question provides the opportunity to review the ethical and moral issues associated with both the relationship between employee and employer and the relationship between friends. The learners will need to draw on their understanding of communication, how information that you need to know can be confused with friendly chat; and what possible impact this can have on the care of children they look after.

Card 17.EY Talking on the bus

Card 17.EY Two EYPs are talking on the bus about a child in the nursery. They do not use a name, but you can tell whom they are talking about.

This is OK because they work together – true or false?

Answer

False. Any information relating to work should only be discussed at work.

- What could happen if they were overheard?
- How do you think the parents would feel if they knew their child was being discussed in a public forum?
- What policies is the employer likely to have in place that the two workers should have followed?
- Why is it wrong for the two workers to be discussing a child on the bus?
- What action might the employer take against the workers?
- What action is open to the parents to take if they find out what has happened?
- Are there any situations when it is acceptable to have this sort of conversation in public?

The question can become a focus for discussing the confidentiality policy and for getting the learners to review what they can and cannot say in a public arena. It is useful to help the learners investigate what could

happen if the employer or the parent chose to take action, and what these actions might be. It will help the learners respect their status as employees, and to see how easy it is to put a child at risk inadvertently.

Card 18.EY Personal computer

Card 18.EY An EYP has stored personal information about a child and his family on her personal computer.

Is this in keeping with the Data Protection Act?

Answer

No. Why?

- What risk is the worker taking?
- What might happen to the information?
- What would happen if the employer knew about the situation?
- Who else may be able to gain access to the child's details?
- How does this pose a risk to the child and his family?
- What action could be taken in line with the Data Protection Act 1998 if the child's information became public?

The question should provoke wide-ranging discussions, specifically about the child and his family, but it could also be useful to bring in examples from the learners about the wider ethical and moral issues surrounding confidentiality. It gives the learners an opportunity to make reference to data protection.

Card 19.EY Adoption

Card 19.EY A classroom assistant tells an EYP that a child in his class is adopted, but is not aware of it.

What should the EYP do?

Answer

Tell him to stop giving out this information.

- Why tell him to stop?
- Why is it inappropriate for him to tell you this?
- What is the possible impact on the child and adoptive parents if this becomes common knowledge?
- What action might be taken against the classroom assistant if he spreads this information?
- Do you think this information may change the way you work with the child?
- Do you feel it is appropriate or necessary for you to have this information?
- How can someone who has been adopted find out about his or her birth parents?

The question provides the opportunity to discuss judgements and values, and the importance of being objective. It should raise issues on

roles and responsibilities, and on socialisation and identity. Learners can think about the consequences to the employee of gossip and even explore the issues surrounding adoption.

Card 20. EY Health visitor

Card 20. EY A health visitor comes to the nursery and starts to ask for personal details on a child.

As a trainee EYP, what should you do?

Answer

Explain that you cannot give out that information and refer the health visitor to the nursery manager.

- Why would you not give her information?
- Why do you think she is asking you for information?
- Do you think that the nursery manager will give her this information?
- What do you think the health visitor would do with the information?
- What may the consequences of this be?
- Do you think a health visitor should be asking the nursery to give information?
- What other procedure could the health visitor have followed?

This gives the learners an opportunity to face the dilemma of what to do when faced with someone in authority asking them to breach confidentiality. They will be able to explore professional roles and responsibilities, and confidentiality policies and procedures.

Card 21.EY Photographs

Card 21.EY Is it OK to take photographs of children without their parents' permission?

Answer

No. Why?

- Why do you need the parents' permission?
- Why might parents not want their child to be photographed?
- Do you think it is a risk to a child's privacy and security to display photographs of them?
- Do you think that there are people in society who like to look at photographs of children they do not know?
- Why do you think that these people may have this interest in children?
- Does your placement have a policy on publishing photos of children?
- Are you familiar with it?
- What would happen if you breached that policy?
- Do you understand the term 'paedophile'?

The question enables you to explore a range of issues about the protection of children. It introduces the learners to the concept that not all people have the child's wellbeing at heart.

Learners are encouraged to make sure that they know the policy in their placement on protecting children and the family privacy. They can explore the consequences of not adhering to this.

Card 22. EY Disclosure

Card 22. EY At your placement a child tells you that his sister is in hospital. The parents have not said anything to anyone about this.

What do you do?

Answer

Thank him for telling you. Reassure him, and tell his key worker.

- Why do you think that the parents have not said anything?
- Do you think that this information will have an impact on the care you give the child?
- How do you think that you will be better able to support the child now that you have this information?
- Why do you share the information with the key worker?
- Do you think the key worker should share the information with anyone else?
- Do you think the key worker should tell the parents what the child has said?
- How do you think the parents would react?
- What could you offer to do to help in this situation?

The question can help the learners face the dilemma of what is important information and what is not. The learners can explore reasons why

parents may not want to share information, and the responsibility of the EYP when they do. They will be encouraged to explore the way a child's development can be affected by what happens at home.

Card 23.EY Definition

Card 23.EY What does the term 'confidentiality' mean?

Answer

Ensuring that information about a person is treated as personal and only shared with others on a "need to know" basis, based on the interests of the client.

- Why do you need trust, loyalty and respect?
- Why is it important to feel that what we say to someone is not going to be repeated?
- How difficult would it be for us if we could never tell people things without fear of them repeating those things to others?
- Has anyone you know ever told your confidential information to someone else, without your permission?
- How did this make you feel?
- Are there occasions when it is OK to breach confidentiality?

This question really makes the learners apply the difficult concept of what confidentiality means to their own experience.

Card 24.EY Repeating information outside work

Card 24.EY Can you ever repeat outside the workplace something you have heard or witnessed in the workplace?

Answer

Only if you believe that to keep quiet will be putting a child at risk.

- It is usual practice not to discuss work outside work. What situation would make you break this rule?
- Why would you pass on information?
- Whom would you pass information to?
- What might happen if you did nothing?
- Would you be responsible for a child who suffers harm at your workplace if you had information but did not pass it on?
- What piece of legislation expects us to put the welfare of the child first?
- How does the Children Act 1989 protect staff who have to disclose information on children and their families?
- What could be the consequences for you of 'blowing the whistle'?

This is a difficult question for learners and will result in a great deal of soul-searching, debate and possibly recall of experiential learning for some. The teacher or trainer must handle it with sensitivity and objectivity.

Card 25.EY Outside agency

Card 25.EY An eight-year-old boy has autism. He has a home/school diary so that all those directly involved can make comments on his daily progress. He travels to and from school in a taxi.

How might confidentiality be breached?

Answer

The taxi driver might read the boy's diary.

- What steps could you take to protect the boy's confidentiality?
- Would you make sure you use a reputable taxi company?
- If so, what assurances do you think the company will have to give?
- Do you think that the information written in the book can be recorded in a way that will keep it as confidential as possible?
- What do you understand about the Criminal Records Bureau (CRB) check?
- Why do you think people working with children and vulnerable adults should go through this procedure?

This question will enable the learners to explore possible scenarios and outcomes. It can be used to ensure that they appreciate the importance of record keeping. It will be useful to explore the practical application of laws and procedures like the CRB check relating to confidentiality. It will help learners think about the practical issues involved in providing for a child with a learning disability.

Card 26.EY Keeping 'secrets'

Card 26.EY Are you ever allowed to tell a child that you will keep a secret for them?

Answer

No. Why?

- Why must you never promise to keep secrets?
- How will you explain this to the child?
- How will you encourage the child to talk to you when they know you are not allowed to keep secrets?
- Are there other ways you could observe how a child is feeling without talking to them?
- Should you encourage the child not to keep secrets?
- What could happen to the child if they do keep secrets?
- Are you aware of the programmes available to help children understand the dangers of keeping secrets?
- Are you familiar with your employer's child-protection policy?

The question is a very important concept for learners to explore. Many learners believe that keeping secrets is what confidentiality is about.

Through this question they will be able to comprehend the difference between maintaining a confidence and the risks associated with children keeping secrets.

Card 27.EY Computer

Card 27.EY You are at a friend's house one evening and you see that she has personal information about a child at your work placement on her personal computer.

What do you do?

Answer

Tell her to delete it immediately.

- Why do you tell your friend to delete the information?
- What risk is she taking if she does not delete the information?
- What could happen to the information if someone not involved with the child saw it?
- What would be the consequences for your friend if she were found out?
- What would you do if your friend refuses to delete the information?
- How would it feel if you had to report your friend for breaching confidentiality?

The question can become a focus for discussing the confidentiality policy, in particular the effect this will have on a friendship if the policy is breached, and the emotional responses involved in challenging a close contact about confidentiality issues.

Card 28.EY Mislaid information

Card 28.EY The chairperson of the parent-teacher association is late for a meeting; she has mislaid a list of children's names and cannot find the school secretary. She asks you to provide the list.

What do you do?

Answer

Explain politely that you can't do that and refer her to someone more senior.

- Why can you not give her this information?
- Do you think that it was appropriate for the chairperson to ask you for this information?
- If you did give her the information, what do you think the consequences might be?
- Why do you think that someone more senior is the best person to sort this out?
- How would she approach the chairperson?
- What issues does this raise in terms of the Data Protection Act?
- Have there been any press cases about an occasion when a person in authority has mislaid information which has fallen into the wrong hands?

The question should provoke a discussion about how important it is to verify a person's right and need-to-know information about someone

else. The chairperson is in a position of authority. Learners can explore why it is OK to challenge authority when it comes to protecting the privacy of the children in their care.

Card 29.EY Innocent disclosure

Card 29.EY A child has been trained by his parents to quote his name, address and telephone number on request.

Is this safe practice?

Answer

No. Why?

- Why is this practice not safe?
- Why do you think the parents have encouraged it?
- How should this situation be handled?
- How do you think the parents will react when they are challenged about this practice?
- What could the outcome be for the child if he repeated this information to a stranger?
- Do you think that there are people who would abuse the child's trust?

The question provides the opportunity to reinforce the importance of ensuring that children are protected at all times. The practice of quoting this kind of personal information is open to abuse. The child or the family could be at risk, and the learners will be able to explore some of those risks. The learners will also be able to explore the important issue of identification versus safety.

Card 30.EY Siblings

Card 30.EY A child starts at a school where another child has the same biological father. The children are not aware of each other's existence.

How should this situation be handled?

Answer

Both children's information is strictly confidential and should not be revealed.

- Do you think that the children have a right to know about each other?
- Why do you think you must keep strict confidence on this issue?
- What could happen if the confidence is breached?
- What effect would this have on the children?
- Do you think that it would bring the children together or make life very difficult for them?
- How will the Children Act 1989, the United Nations Convention on the Rights of the Child 1989 and the Data Protection Act 1998 help in this situation?

This question is designed to provoke a discussion about the moral and ethical implications of confidentiality.



'Question' cards for health and social care (H&SC)

Each card has the question and an answer on the front. The series of prompts may help to consolidate understanding of the issues involved in the information presented.

It will help you to find the right page if you ask the learner to read out the question number as well as the question.

Card 1. H&SC Moral and ethical reasons to respect confidentiality

Card 1. H&SC The law is one of the reasons why it is important to keep information confidential.

What other reasons can you think of?

Answer

Moral reasons, it's the right thing to do; to build trust; to promote recovery; to guarantee safety.

- If you were the client, why would confidentiality be important to you?
- How might a lack of confidentiality damage the relationship between client and carer?
- Bearing in mind your responses, what might be the repercussions of breaches of confidentiality?

The question requires the learners to think more deeply about the benefits of confidentiality and the ethical issues behind the concept. It may be useful for the learners to attempt to empathise with the client.

Card 2. H&SC Good practice in promoting confidentiality

Card 2. H&SC Name three ways that you can improve confidentiality.

Answer

Computer passwords; ensuring files are locked away; staff training; having a nominated person to deal with confidential information.

- Think about your placement/workplace. What examples of good practice can you think of?
- How would the things that you have talked about improve confidentiality?
- In what ways could your workplace improve its confidentiality practices?
- If you felt that your workplace practices were poor, what could you do?

This question aims to encourage the learners to be critical of confidentiality practices. Learners should be helped to examine their experiences and evaluate what they have seen. Group discussion could be developed to examine issues about current practice.

Card 3. H&SC Confidentiality

Card 3. H&SC Each workplace should have a document that tells everyone what to do in order to keep confidentiality.

What is it called? Where might it be kept?

Answer

The confidentiality policy; along with other policies in the office.

- Every workplace should have one of these. If, after reading the policy, you feel that some of it should be changed, what would you do?
- What might be in this policy?
- How might a confidentiality policy affect what you do?
- Do you feel that everybody at your work placement knows about the policy?
- How could more people at your workplace be made aware of what is in the policy?

This question requires the learners to think about what is in a confidentiality policy and what that means to staff. Group discussion can be encouraged to examine policy contents further. It is important to help the learners to look at what they could do to promote good practice.

Card 4. H&SC Defining confidentiality

Card 4. H&SC What does the term 'confidentiality' mean?

Answer

Ensuring that information about a person is treated as personal and only shared with others on a 'need to know' basis, based on the best interests of the client.

- Think practically. What do you need to do in order to keep information confidential?
- How do you feel about confidentiality?
- Is it important to you?
- Is it important to the work that you do?
- It is important that the client is involved and gives consent to information gathering. How can you do this?

The question is aimed at making sure that the learners are aware of what confidentiality means. The further questioning asks learners to look at their own values concerning confidentiality. Further discussions could be encouraged by developing the above questions with the whole group.

Card 5. H&SC The legal framework

Card 5. H&SC Name one law to do with confidentiality.

Answer

The Data Protection Act 1998, Public Interest Disclosures Act 2003, Common Law Principles of Confidentiality (all now under the Data Protection Act 1998).

- Think back to the underpinning knowledge session. What laws did we discuss?
- What does this law mean you have to do?
- What would happen to you if you did not abide by this law?
- Can you think of any thing else that requires you to maintain confidentiality – for example, general social care code of conduct, local policies, patient charter?

The question is aimed at checking that the learners understand the laws behind confidentiality. Learners should be encouraged to talk about what the law means to them. Group discussion may support the individual learner.

Card 6. H&SC Issues of consent and involvement

Card 6. H&SC Who can give you permission to pass on information concerning a client?

Answer

The client can give permission.

- Who is the most important person in the care environment?
- Are there any situations that might mean that the client's permission is difficult to obtain – for example, if you are not sure whether the client is giving informed consent or there are communication barriers or differences?
- Can you think of any way that you can still involve the client and get their consent for passing on information in the above situation?
- If you cannot get consent for passing on information, would you still pass the information on?
- In such situations, who else might be able to give permission? (The client's advocate? Next of kin?)

- Are there any situations where the client refuses to give you permission but you would still have to pass the information on anyway?
- What are those situations?
- How can you ensure that the client is aware that you might have to do this?

The question is aimed at underlining the issues of involvement and consent in the management of client information. The learners may name other individuals – for example, the manager, key worker – but should be encouraged to focus on the client as being central. The further questioning asks the learners to think about protection issues. This may also provide opportunities for group discussion.

Card 7. H&SC Dealing with difficult situations

Card 7. H&SC What would you say to a former member of staff asking you how well one of your clients had recovered after an operation?

Answer

Tell them that you can't say, but if appropriate suggest that they come and visit the client.

- How can you answer without actually giving any information?
- This situation requires tact. How might the other person feel?
- Has this or something like it ever happened to you?
- How did you respond then?
- What are the repercussions if you do tell them?

The question is aimed at getting the learners to develop practical solutions to a difficult situation. Group discussion can be encouraged by asking the whole group if they have experience of this or other difficult situations – for example, someone more senior than them asking for information that they should not have.

Card 8. H&SC Understanding 'need to know'

Card 8. H&SC When dealing with information, it is important to make sure there is a 'need to know'.

What does 'need to know' mean?

Answer

Only passing information that is needed to people who require the information to enable good quality care.

- Who should have information, and why might they need it?
- What would you do if a more senior member of staff was demanding information from you that you felt they did not have a 'need to know'?
- Why do you think 'need to know' is important?
- What might happen if you did not stick to this?
- Can you think of something you do or have done that fits in with 'need to know'?

The question is aimed at getting the learners to clarify the concept of 'need to know', identifying what it means and understanding why it is important. Learners should be helped to examine what they do, and how their actions fit in with 'need to know'. Group discussion can be promoted by throwing open the above to wider debate.

Card 9. H&SC Responsibilities to people other than clients

Card 9. H&SC In the waiting area where relatives meet, a client starts to tell a care worker about her father. She is clearly upset.

What should the care worker do?

Answer

Find a quiet place to talk with the client.

- This situation needs tact and sensitivity. The care worker has a duty both to support her and to keep her father's information confidential. How can she or he do both?
- If the care worker continues to discuss her father in the waiting area, how might this breach confidentiality?
- Whose confidentiality (other than her father's) might be breached?

The aim of this question is to enable learners to understand that their responsibilities go beyond keeping their clients' information confidential. They should be encouraged to think beyond the needs of their client and to suggest practical ways to maintain confidentiality in this situation.

Card 10.H&SC Understanding the limits of the responsibility of the learner in particular situations

Card 10.H&SC While working in a care home, a care worker answers the phone and is asked to give some information about a client.

What should the care worker do?

Answer

Inform the person that information cannot be given over the telephone.

- Why should they not give information in this situation?
- How can they be absolutely sure that people are who they say they are?
- What might happen if they do give the information?
- What measures could be put in place to check people's identity?

The aim of this question is to develop learners' understanding of the limits of their responsibilities and where to turn to get support and deal appropriately with the situation.

Card 11. H&SC Reflecting on current practices

Card 11. H&SC How might a new member of a staff team find out about what to do to keep confidentiality in a clinic?

Answer

Training; ask their supervisor; read the confidentiality policy.

- When you started at your workplace, how did you find out about confidentiality?
- Did you feel this was a good way of learning about confidentiality practices?
- If not, how could this have been improved?
- How do you feel about the confidentiality practices at work?
- How could they be improved?

The aim of this question is to get learners to think about how staff find out about confidentiality. It then asks them to reflect on this and to evaluate current practice. Group discussion could be encouraged to bring in the experiences of others.

Card 12. H&SC 'Need to know' and what this means to those who should have access to information

Card 12. H&SC Think about a particular client (don't name them).

Who in your care setting needs to know information about this person, and who doesn't?

Answer

Acceptable responses depend on each client's circumstances, but should be based on a 'need to know' policy.

- Think about what purpose the information has. For whose benefit is this information being passed on?
- Outside of your care setting, who has a need to know?
- Outside of your care setting, who does not have a need to know?
- In your experience, does everybody keep to this?

In answering this question, learners should be encouraged to justify who should have access to information, and who should not. They should be able to provide a rationale for each of their points. The group can be encouraged to reflect on experience and critically evaluate current practice.

Card 13. H&SC Different information that carers have access to

Card 13. H&SC Name three pieces of information that should be kept confidential.

Answer

Acceptable responses will vary, but may include: age; diagnosis; background; address; sexual orientation.

- Think about all the things that you know about your clients. Why is it important to keep these particular pieces of information confidential?
- What might happen if you did not keep this information confidential?
- How would you feel if someone gave out the same information about you?

The question requires the learners to think about all the different forms of information held by carers about their clients. The learners should be helped to empathise with the client and develop an understanding of the ethical reasons for confidentiality.

Card 14. H&SC Passing information on to prevent harm to the client or others

Card 14. H&SC A client is upset and tells a staff member that she has something important to say. She asks the staff member to keep the information secret.

What should the staff member do?

Answer

Remind the client that it might not be possible to keep that promise.

- There are times when you might not be able to make this promise. Does the client know this?
- If not, what do you have to do?
- Name some situations when you may have to pass this information on.
- Why might you have to do this?
- What could the repercussions be of not passing information on in these situations?

This question is aimed at examining the times when information might have to be passed on because of risk of harm to the client or others. Learners should be encouraged to think about what might happen if they do not pass information on in this situation.

Card 15.H&SC Identifying good practice in dealing with paper records

Card 15.H&SC Name two ways that you can keep paper records confidential.

Answer

Some acceptable answers may be: by locking them away or having a person designated to look after them.

- Think about examples of good practice within your workplace. Can you think of any ways to improve confidentiality in your workplace?
- How could you go about implementing your ideas?
- Who could you discuss your ideas with?

The aim of the question is to support the learners in identifying good practice in dealing with paper records. This can be developed through further questioning to encourage learners to think about what they can do to improve confidentiality in their workplace.

Card 16. H&SC Respecting confidentiality in written assignments

Card 16. H&SC When writing an assignment to do with your work placement, how would you make sure you don't breach confidentiality?

Answer

Use false names for people and the establishments. Ensure that no one can tell who you are talking about.

- It is important to ensure that your assessed work does not breach confidentiality, but to achieve your goals you must complete assessments. How can you do both?
- If you include the name of your care setting or the illness or syndrome that the client has but use a pseudonym for the client, this might not be enough to maintain confidentiality. Why not?

The aim of the question is to enable learners to identify ways that they can keep information confidential within their studies.

Card 17. H&SC Examining a common example of poor practice

Card 17. H&SC On work placement the staff team hold their handover meetings in communal areas.

How might this break confidentiality?

Answer

Other clients or visitors may hear, as may other staff who don't 'need to know'.

- Think again about who requires the information. How might this situation mean that confidentiality is breached?
- Has this ever happened to you?
- How did you feel about this? Did it make you feel uncomfortable?
- How could this situation be made better?
- If the staff team is talking about a particular client, it may be a good idea to ask the client to attend. Why?
- If a client is present, what should you do if you are going to discuss another client?

The question asks the learners to think about a common example of poor practice. Further questioning can be used to explore learners' own experiences and how they feel about them. Group discussion can be encouraged to examine the issues of involvement and consent covered in the last two questions.

Card 18. H&SC Confidentiality whilst on the phone

Card 18. H&SC It is not acceptable to discuss confidential information with people over the phone, particularly when the phone is in a communal area.

Why?

Answer

It is difficult to be sure that the other people that you are talking to are who they say they are, and others might overhear.

- Why is it not a good idea to be discussing confidential information about someone on the telephone?
- Have you ever breached confidentiality without realising it?
- What would you do if you saw other people breaching confidentiality?

The question asks learners to think about what they need to do to keep information confidential whilst on the telephone. It also asks learners to think about how confidentiality can sometimes be breached without their realising it. There should be a 'no blame' culture in the workplace, but learners should think hard about their own practices and those of others.

Card 19.H&SC Enabling confidentiality between people who live in the same household

Card 19.H&SC One of your clients asks you how another client is getting on.

What should you do?

Answer

Tactfully ask her if she would like to ask the other person herself if appropriate.

- If she is worried about anything in particular, talk to her about her concerns and why she is worried. Think about who can give permission to pass on information.
- You have a duty of care to both clients. How can you keep one client's information confidential but still provide support to the other client?

With this question, learners should be encouraged to think about the duty of care that they have to both clients. This can sometimes mean a conflict of interest. Learners may feel that other members of the same household have a right to know. This could lead to further discussion. Ideally, learners should conclude that this is an issue between the clients themselves. The care staff should under no circumstances pass on information without the express permission of the client involved.

Card 20. H&SC Confidentiality and businesses (including whistleblowing)

Card 20. H&SC You arrive at your workplace one day and discover there has been a fire overnight. A journalist stops you before you enter the building and asks you about the fire.

What should you do?

Answer

Say that you are sorry, but you can't talk about it.

- This is a sensitive situation which must be handled carefully. Some care establishments are businesses, and are dependent on their reputations.
- How might your talking to the press affect such a business?
- What might happen to you if you do talk to the press?
- Are there situations where, even if your workplace wants you to keep certain information secret, you would still break that confidence?
- What might be the repercussions of not breaching confidentiality in this case?

The aim of this question is to prompt the learner to think about why confidentiality is important to a business. It is important, however, that either the learners or the teacher make the point that there are situations where confidentiality should be breached – for example, to prevent harm to clients or to others. This could lead to a group discussion about whistleblowing.

Card 21. H&SC Verifying the identity of callers

Card 21. H&SC A person knocks at the door of the care home in which you are working and tells you that he is an inspector from the National Care Standards Commission.

What should you do?

Answer

Ask to see his identification. Get your supervisor.

- Inspectors have a right of entry even if you do not know they are coming. You must be absolutely sure of the identity of anyone you allow into the building. How can you do this?
- If they cannot prove their identity but still demand to come in, what would you do?
- Do you know anyone who has experienced an inspection? What happened?

Learners should be encouraged to explore issues of security, access and ways of checking people's identity.

Card 22. H&SC Transmitting information by fax

Card 22. H&SC A member of staff is asked to send confidential information to the doctor's surgery by fax.

How could they ensure that this information remains confidential?

Answer

Telephone the person who is to receive the information to ensure they are who they say they are. Mark all pages 'strictly confidential'. Avoid if at all possible!

- Transmitting information by fax can mean that the information is extremely vulnerable.
- The aim must be to make sure all possible steps have been taken to ensure confidentiality.

Transmitting information by fax can leave the information vulnerable but is sometimes unavoidable. The learners should think about the special requirements that should be put in place when transmitting information in this way.

Card 23. H&SC Electronic records

Card 23. H&SC Name one way that the confidentiality of information stored on a computer can be secured.

Answer

Passwords; limiting access to computer.

- What law governs information held on computer? (The Data Protection Act 1998.)
- Why is it important to make sure computer files are secure? (They can be changed without anybody knowing it. They can exist in two places at the same time and are therefore vulnerable in a way that paper records are not.)

Learners should be guided towards understanding the ways that computer records differ in nature from paper records.

Card 24. H&SC Learners getting support for themselves, but still keeping information confidential

Card 24. H&SC You go home after being spat at by 'Ben' (a client who has continually attacked you both verbally and physically). This has understandably upset you.

How could you talk this through at home without breaching confidentiality?

Answer

Talk about how you feel, but not about Ben, as this will breach his confidentiality.

- You have a duty to keep confidentiality at all times (not just at work). Is it easy in this situation?
- How else could you get support?
- To whom is it appropriate (and essential) to talk about this?

It is important for learners to understand that they must keep confidentiality at all times, even when it becomes personally very hard to do so. Group discussion about support mechanisms and ways of maintaining confidentiality should be encouraged. The point should be made that the carer must talk to their supervisor or manager about what Ben had been doing.

Card 25. H&SC Supporting the learners to be proactive in improving confidentiality practices

Card 25. H&SC You are worried that confidentiality is not being kept at your work placement.

What should you do?

Answer

Talk to your supervisor. Bring it up at a staff team meeting.

- How do you feel about the confidentiality policy at your care setting?
- Are there any ways that you feel the policy could be improved?
- To whom could you talk about improving confidentiality?

The aim of the question is for learners to think about current practices and how they can help to improve them. Group discussion should be encouraged. Other learners will probably contribute their own experiences.

Card 26. H&SC Ensuring client involvement

Card 26. H&SC When a client is admitted, a lot of information needs to be gathered.

How can staff ensure that, in gathering the information, they do not breach confidentiality?

Answer

Make sure that the information is gathered in a secure environment. Make sure only information that is needed is gathered.

- How can you make the environment secure?
- Involving clients in their care is important. How can you do this in this situation? (Let the client know why you require the information, and honour the client's wishes regarding who should have access to this information.)
- There are times when you may have to pass on information to protect the safety of the client or others without the client's consent. When would be a good time to tell the client this?
- Can you think of any examples of these situations?
- Admission can be a scary time for the client. How might this affect how willing the client is to give information?
- What should you do if the client refuses to give you information?

Learners should be encouraged to realise that good practice begins from the first moment the client enters the establishment.

It can be difficult for people to give information when they are feeling worried or mistrustful. Further discussion may develop about how the learners can help to form an open, trusting relationship with clients.

Card 27. H&SC Keeping paper records confidential

Card 27. H&SC You are a care assistant in a residential home. When writing in the care plans one day, you make a mistake. You crumple up the page, put it in the bin and start a new one.

How is this breaching confidentiality?

Answer

The information on the sheet may be picked up by anyone.

- What could you do instead of putting it in the bin?
- What are the possible repercussions of someone obtaining the client's information (for the client, you or the care home)?
- What other possibly sensitive information comes into a care home and often gets thrown in the bin? (Junk mail for clients; invoices.)
- What could you do with these documents before disposing of them? (Shredding.)
- Why are these types of information sensitive?

The learners should understand that the written word has power and, in the wrong hands, can cause harm, either emotionally, financially or even physically.

Card 28. H&SC Basic principles of confidentiality

Card 28. H&SC Your learner handbook lays out eight basic principles for keeping confidentiality.

Name four.

Answer

Inform; 'need to know'; respect; share with care; get it right; obligations; be secure; involvement.

- Can you name any more?
- What do these things mean?
- Are any of these things harder to abide by than others?
- Are any of these things easier to abide by than others?

The question aims to reinforce the basic principles as laid out in the learner handbook. If the learner is having difficulty in thinking of four basic principles, you could throw it open to the group.

Card 29. H&SC Confidentiality at college

Card 29. H&SC While at college, two other learners who are on a work placement with you begin talking about a client.

What should you do?

Answer

Tell them to stop and remind them of the principles of confidentiality.

- Has this ever happened to you?
- What did you do?
- Why is this breaching confidentiality?

The question is aimed at getting learners to examine each other's practices. Be aware that this question may bring up controversial issues within the group. The classroom should be a safe, blame-free environment, and this should be reiterated to the group at an early stage.

Card 30. H&SC Complaints procedures

Card 30. H&SC During a brief stay in hospital, you find that one of the carers knows one of your friends. After leaving hospital, you find that your friend knows why you were in hospital.

What should you do?

Answer

Find out what the hospital complaints procedure is and make a complaint.

- How would you feel?
- Do you know what your workplace's complaints procedure is?
- What is it?
- How can you support people if they want to make a complaint?
- If you made a complaint, how would you like it to be dealt with?

This question aims to get learners to empathise with people who may have to make a complaint. Learners should think about how it might feel to have to make a complaint, and how they can support people and make the process as positive as possible.