



CONFIDENTIALITY – KEY MESSAGES

Before entering a registered location or gaining access to any confidential information, the Lead Inspector must make sure everyone taking part in the inspection reads and understands the following:

- As a member of a CQC inspection team, **you all** have a **personal responsibility** to respect confidentiality before, during and after the inspection.
- **You must only** access confidential information when you have the formal authorisation to enter and inspect which is on the CQC ID badge, or in a document signed by an appropriate manager. **You must only** share information within the inspection team on a strict 'need-to-know' basis – for example where necessary to obtain expert advice from someone without the formal authorisation.
- **You must only** access confidential information where it is **necessary and proportionate** for the purposes of the inspection, viewing the minimum necessary. In doing so, **you must always** consider if anonymised records will suffice.
- **You must never** access information for personal reasons or curiosity. Access to records relating to your family, colleagues, acquaintances or public figures **must only** be in **exceptional** circumstances with express permission from the Lead Inspector.
- **You should** explain our powers to access confidential records to the people we meet on the inspection and that we do this to check services are meeting required standards of care.
- Where possible and practical to do so, **you must** tell people you intend to access their confidential records and explain why it is necessary.
- If someone objects to us accessing their records, **you must only** do so if a very strong justification exists and with agreement of the Lead Inspector. You should inform the person, explain, and record the reasons you accessed records against their wishes.
- **You must only** seize, take copies of, or make a record of confidential information where strictly necessary to do so. Where possible, take anonymised records instead.

- You **should** inform the provider which information you have accessed. If you were unable to inform an individual before accessing their information, you **must** do this where practical.
- You **must** follow our policies on sharing information outside CQC. You may be committing a criminal offence if you disclose confidential personal information inappropriately.
- You **must** return any confidential documents to the service's staff when finished, unless you make a decision to seize the document. Any records retained by CQC **must** be stored and handled securely.
- The **Lead Inspector** is responsible for securely retaining all confidential documents, digital files or copies thereof that we remove from a location. A log **must** be maintained showing; titles / descriptions, date seized, format, quantity and storage location. You **must** check this against the actual records on completion of the inspection and again when stored at a CQC office. If you find any discrepancies follow up immediately and if appropriate report to security@cqc.org.uk and relevant Head of Inspection.
- If unsure about any aspect of confidentiality, you **should** refer to the [Code of Practice on confidential personal information](#) or seek advice from the Lead Inspector, line manager or information.access@cqc.org.uk. For urgent advice phone 03000 616161 and ask for the Information Rights Manager or any of their team.