

Confidentiality – your rights

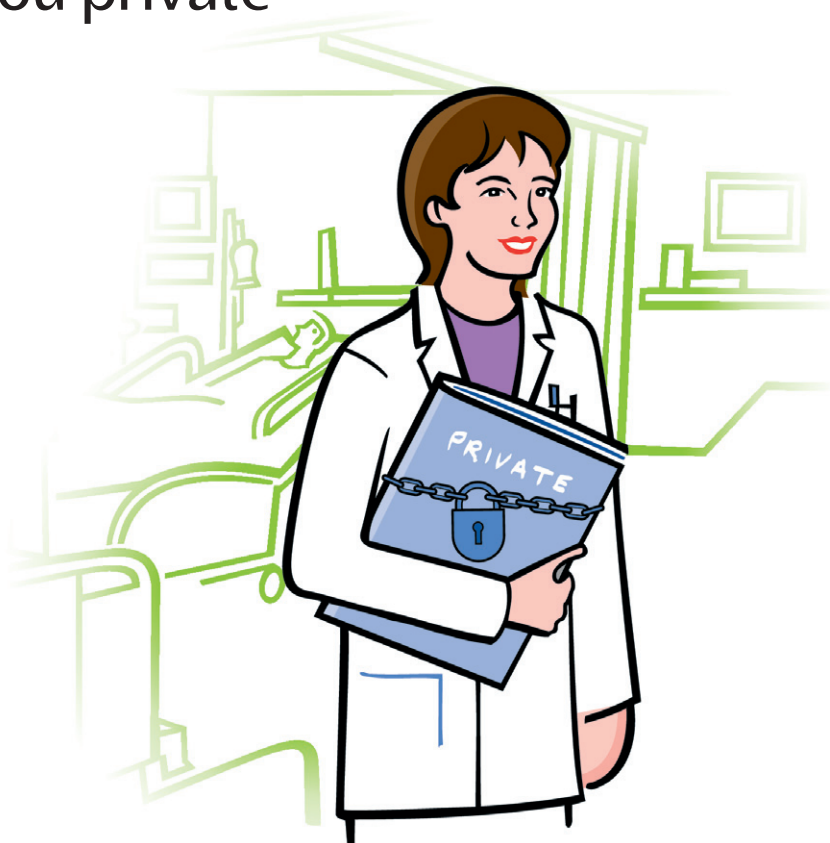
How the health service keeps information about you private

Who is this leaflet for and what's it about?

This leaflet is for you if you're under 16. It explains that anyone who looks after your health has to keep information about you private. This may be doctors, nurses, pharmacists or other health workers.

The leaflet tells you only about how things work in the health service, not other organisations such as your school or social services.

If you want to talk about your health in private, and you need an interpreter, ask your health worker to arrange this for you.



When you are young, your parents are usually involved in your health care. They may make decisions for you, and speak to health workers on your behalf. But as you get older you have more rights. You can decide if you want your parents to be involved or not. This leaflet explains your rights once you are thought to be old enough to make your own decisions about your health care information.

- In Scotland if you are 12 or over, the law assumes you can make your own decisions about your health care information unless there is evidence to suggest you can't.
- If you are under 12, you may still be able to make decisions about your health care information but the doctor must believe that you understand enough to do this.

When we talk about parents, we also mean anyone who is your legal guardian.

What does confidentiality mean?

It means keeping information safe and private. The health service keeps all your health information confidential.

This includes:

- anything you say
- information someone writes about you, and
- details of any treatment you have had.

You can talk to health workers about anything to do with your health.

If you want to talk to a health worker about something personal, they must keep this information confidential, even if you are under 16. This may be information about:

- sex
- relationships
- pregnancy
- contraception
- drugs and alcohol, or
- feeling down.



Sometimes health workers do need to share information about you to give you good care.

They may share information about you with other health workers who are looking after you – for example, health workers at another hospital or clinic if you have agreed to go there.

- This is to make your care safer, easier and faster.
- They will only share information that is needed to give you the best care.
- If there are particular things that you don't want to be shared, tell your health worker.

If they think you are at risk of serious harm or you are in danger, they may have to tell another adult about it to be able to help you. But even then, they should tell you they are going to do this and explain who they will tell and why.

Sometimes the law allows the health service to share information about you without you agreeing to it. This would only happen in very serious situations – for example, if you have an illness that puts other people at risk, such as meningitis.

Sometimes, people who inspect child protection services may ask to look at the records of children who have been involved with these services. This is to make sure that children are protected from harm.

These inspectors must keep your personal information safe and private unless they think you are in danger.

Will my parents be given information about me?

Usually, health workers are not allowed to tell your parents anything you have talked to them about, unless you have agreed to this. But the health worker may suggest that you speak to your parents or an adult you trust.

A health worker may want to send out information to you. If you don't want your parents to see this, you can:

- ask them to post it to a friend's address
- say you'll pick it up, or
- ask them not to send anything.

Remember, your parents can come with you to talk to a health worker if you want!

What if my parents want to look at my health records?

Your health records include information about your health and any treatment you have had. Your records can be written on paper, held on computer or both.

Usually your parents can't see your health records unless you agree to this. If there's something in your health records that you don't want your parents to see, tell a health worker.

If your doctor doesn't think you can make decisions about your health care, your parents may be allowed to see your health records without you agreeing to it. But this would only happen if the doctor thought it was best for you.

Can I see my own health records?

Yes. You should be able to see your records in a way that you can understand. Any codes or words you don't understand should be explained to you.

- You may want to know about treatment you have had, or check that information about you is correct.
- It's your choice whether to look at your health records.
- You may have to pay to see them. But you will be told about this first.
- To find out more about seeing your health records, ask to speak to the practice manager at your GP surgery or the records manager at the hospital.

What if I'm unhappy about how my information has been kept or used?

If you think that what you've told a health worker hasn't been kept private or that something in your health records is wrong:

- tell one of the health workers who has been involved in your care, or
- ask your parent or another adult you trust to do this for you.

If you're still unhappy, it's okay to make a complaint. The leaflet **Have your say!** tells you how to do this. Ask for this leaflet at any place where you get health care, or get it on the internet (www.hris.org.uk).

What if I need more information?

- If you are worried about confidentiality, you can speak to someone at the surgery, clinic or hospital about this.
- The **Scottish Child Law Centre** can give you information about your rights and how the law affects you.

Scottish Child Law Centre
54 East Crosscauseway
Edinburgh EH8 9HD

Information helpline **0131 667 6333**
Freephone **0800 328 8970**

(for under 18s)

Email enquiries@sclc.org.uk

Free text enquiry service: text 'SCLC' followed by your question to **80800** (replies will be sent to your mobile)

Website www.sclc.org.uk

- **Scotland's Commissioner for Children and Young People** can give you information about your rights and tell you about organisations that can help you.

Scotland's Commissioner for Children and Young People
85 Holyrood Road
Edinburgh EH8 8AU

Freephone **0800 019 1179**
(for young people)

Email info@sccyp.org.uk

Website www.sccyp.org.uk

- **ChildLine** is a free and confidential helpline for all children and young people in the UK. You can call or write to ChildLine for help and advice about anything.

ChildLine
Freepost 1111
Glasgow G1 1BR

Freephone number **0800 1111**
(24 hours a day, seven days a week)

Email scotland@childline.org.uk

Website www.childline.org.uk

- The **Information Commissioner's Office** can tell you more about how your personal information is used and protected.

Information Commissioner's Office
93–95 Hanover Street
Edinburgh EH2 1DJ

Phone **0131 301 5071**

Email scotland@ico.gsi.gov.uk

Website www.ico.gov.uk



Information about health rights

- **Consent – your rights** tells you about your right to be involved in decisions about your health care and treatment.
- **Have your say! – your right to be heard** tells you how you can make your comments, suggestions or concerns about your health care heard.
- A more detailed version of this leaflet called **Confidentiality – it's your right** is available in other languages and formats.

To ask for this information in another language or format email: ask@hris.org.uk

You can get these leaflets from:

- GP surgeries, dental surgeries, hospitals and any other places where you get NHS care
- the NHS helpline on **0800 22 44 88** (textphone **18001 0800 22 44 88**) which can also provide an interpreting service
- www.hris.org.uk



We have tried our best to make sure this leaflet is correct, but the law can be more complicated than this. If you are thinking about taking legal action and need advice, you should contact a solicitor, a citizens advice bureau, another advice agency or the Scottish Child Law Centre.

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