



CONFIDENTIALITY - PANEL MEMBERS

PURPOSE

This policy refers to the importance and necessity of *confidentiality* and *privacy* within the workplace regarding documentation and matters pertaining to MHR, MHR Clients and Clients' patients. It ensures that **confidentiality** and **privacy** are maintained and protected at all times.

SCOPE

- All Panel Members working at a MHR client / MHR office.

DEFINITIONS

Term	Definition for the purpose of this policy
Company Confidential Information	<i>Company Confidential information</i> is more classified than 'Public' information. It typically includes <i>business, financial, and technical information</i> that could negatively impact MHR, its clients, or business interests if inappropriately disclosed, accessed or modified. <i>Examples include, but are not limited to:</i> Internal policies and procedures, Strategies, Branding information, Client Service Level Agreements, Company tariffs, Budgeting and financial information, Any time-sensitive business and financial data, e.g. Company financial results and pending acquisitions, etc.
Confidential Information	<i>Confidential information</i> is <i>private</i> or <i>sensitive</i> in nature. It includes any Personal Information concerning a MHR client/Clients' patient/Co-worker at MHR/Clients as per the definition of personal information below.
Consent	The voluntary and clear expression of will through which a person indicates that he/she consents for a photograph to be taken of him/her or for the processing of his/her Personal Information.
Personal Information	Any <i>identifying information</i> associated with a person such as a name, identification number, contact details (Address, cell phone number, email address etc.) or <i>information specific to the physical, physiological, genetic, mental, economic, cultural or social identity of a person</i> (such as race, gender, marital status, nationality, health record/history/disability, educational background, job title, CV, references, financial and pay details, etc.).
Protection of Personal Information Act 4 of 2013	The Protection of Personal Information Act (POPIA) (effective 1 July 2021) establishes the rights and duties that are designed to safeguard personal information. In terms of POPIA, the legitimate needs of organisations to collect and use personal information for business and other purposes are balanced against the right of individuals to have their privacy respected, in the form of their personal details. In short, any information which links to a person and makes them identifiable is considered as personal information.

POLICY STATEMENT

It is important that panel members consider **any** information pertaining to MHR, MHR Clients and Clients' patients, as **privileged** information and handle information with **strict confidentiality** as per the guidelines below. Breach of confidentiality can lead to disciplinary action.

PATIENT CONFIDENTIALITY

Understanding patient privacy

- According to the national Patients Rights' Charter, every patient has the right to confidentiality and privacy. Patient privacy refers to the right of patients to determine when, how and to what extent their health information is shared with others
- It involves maintaining confidentiality and sharing protected patient information only with healthcare providers and related professions who need it to take care of the patient
- Patients have the right to determine how their health information is shared

What does MHR classify as patient information?

- Clinical information or medical history
- Personal information and contact details
- Medication information and any medical results such as laboratory and radiology, etc.
- Images of a patient in the hospital (Written confirmation must be obtained if a patient is photographed or filmed)

What does this mean in the work environment?

- Keep all discussions with patients private or at a lower volume in shared rooms
- Keep all clinical records stored safely so that they cannot be seen by anyone passing by (*according to the client's policy*)
- All documents on which patient information appears to remain the client's property and may not leave the client's premises without the authorisation of a Senior Manager at the client
- Clinical discussions regarding patients may not take place in public areas
- Do not release any information regarding a patient to anyone who is not a close family member of the patient. Information may only be shared upon a patient's consent
- Do not allow photos to be taken of any patient without the patient's signed consent
- Refrain from sharing and posting any information or photos of patients, clients and MHR on social media platforms, such as Facebook, LinkedIn, Twitter, WhatsApp, Telegram, Signal, YouTube, TikTok, Instagram, etc. (*See the MHR Social Media Usage policy on MHR website*)

CONFIDENTIALITY AT A MHR OR CLIENT OFFICE

The nature of the business conducted by MHR or MHR's Clients necessitates that there be a constant flow of confidential information. Panel members are required to adhere to the guidelines below when working in a MHR or MHR Client's office.

	Guidelines
1	Company system passwords may not be shared with colleagues.
2	Always lock Computer/Laptop screen when not at a workstation.
3	At the close of business, all documentation must be put away for safekeeping as per MHR or Client requirements.
4	Confidential documentation must be kept in a drawer, cupboard or cabinet that can be locked.

	Guidelines
5	Conduct telephone calls in a reasonable tone of voice. Make sure that confidential telephonic conversations are conducted in a private office/boardroom.
6	Do not discuss confidential information at a workstation and rather book a boardroom when there is a need to exchange confidential information.
7	Should a panel member happen to overhear a private or confidential conversation, the panel member is expected not to repeat the information to others.
8	<i>Confidential and Company information</i> (including company reports, tariffs, etc.) may not be shared with unauthorised parties or emailed to clients/employees' personal email addresses (including a panel member's own personal email address).
9	Outside of business hours, panel members are reminded that matters relating to MHR, MHR Clients and Client's patients are to remain private and confidential.
10	Confidential documentation, reports or files may not be removed from MHR or Client's premises without the permission and knowledge of the relevant senior manager at the client.
11	All panel members must sign the MHR ' <i>Undertaking of Confidentiality</i> ' form when they register with MHR.
12	MHR expects panel members who work at a MHR office or MHR hospital office to familiarise themselves with the ' <i>MHR Data Privacy</i> ' policy.
13	MHR expects panel members who work at a Client's office to familiarise themselves with the client's confidentiality policies.
14	MHR expects all panel members to maintain the privacy of <i>confidential</i> and <i>company confidential</i> information when they leave the services of MHR.
15	<p>If any other party requests patient information, e.g. patient, family, police, attorneys, professional council, e.g. SANC, it should be handled as follows:</p> <ul style="list-style-type: none"> • Be in writing • Include the written consent of the patient to release the records to the person requesting the information • Include the written consent of the next-of-kin or executor of the estate in the case of a deceased patient • Send the above information to the Nursing/Hospital Manager of the specific hospital

ASSOCIATED DOCUMENTS

Documents	Location
Undertaking of Confidentiality (Panel member)	MHR Branch office
Policies	Location
MHR Data Privacy Policy	MHR website/MHR office
MHR Social Media Usage – Panel Member	MHR website/MHR office
Client's Confidentiality/Data Privacy/Information Security policies	Client
Acts and Regulations	
Protection of Personal Information Act 4 of 2013 https://www.gov.za/documents/protection-personal-information-act	
National Patients' Rights Charter: https://www.hpcs.co.za/Uploads/Professional_Practice/Conduct%20%26%20Ethics/Booklet%203%20Patients%20Rights%20Charter%20September%202016.pdf	