Confidentiality Agreement for Third Part Staff/Contractors

This agreement sets out responsibilities of third party staff/sub-contractors with access to NHS Surrey Downs Clinical Commissioning Group (the CCG) systems, premises, data/information in order perform tasks as required by the CCG.

For the purpose of this agreement the term 'third party staff' is synonymous to 'sub-contractors and it refers to all external staff working under a contract, service level agreement, national or local contracts. It also refers to individuals undertaking work for, on behalf, or with the CCG whether on site or off site; these include:

- Agency/temporary staff processing data on behalf of the CCG
- Agency/temporary staff providing clinical services e.g. Continuing Health Care nurses.
- Hardware and software maintenance and support staff
- Commissioning support services, cleaning, catering, security guards and other outsourced support services (contracts should be signed by employing companies and by individual staff).
- All agency/temporary/interim staff undertaking work for, on behalf, or with the CCG directly or indirectly but not listed above.

Confidentiality Definition of Confidential Information

A duty of confidence arises when one person discloses personal or commercially sensitive information to another (e.g. patient/service-user to a member of staff; colleague to colleague; employee to employee; commissioner to provider) in circumstances where it is reasonable to expect that the information will be held in confidence.

This agreement covers information held manually or electronically. All third party staff/sub-contractors must complete a Statement of Confidentiality (below) and send signed copies to the CCG Human Resource team (HR).

Training

All permanent/temporary/agency/contract staff are required to complete the online mandatory information governance training modules within first week of commencement.

Related Guidance and Legislations

- Data Protection Act 1998
- Freedom of Information Act 2000
- Human Rights Act 1998
- Common Law Duty of Confidentiality
- Caldicott Report 1997 and 2013
- NHS Records Management Code of Practice

This agreement should be read in conjunction with the CCG's information governance policies and procedures available on the organisation's website. All staff are required to ensure that they understand its application to their practice.

NHS
Surrey Downs
Clinical Commissioning Group

Confidentiality Statement

I, [Insert name)……. understand that during the course of my work at Surrey Downs Clinical Commissioning Group (the CCG), I may acquire or have access to confidential information which must not be disclosed to any other person unless in pursuit of duties detailed in the contract of work. I understand that this condition applies during my time within the CCG and after that ceases.

I understand that confidential information includes all information relating to the business of the CCG and its patients/service users, clients, staff and volunteers, and includes any of its information when held or processed by its partners, agents and contractors.

I understand that The Data Protection Act 1998 regulates the use of all personal information and includes electronic and paper records of identifiable individuals and that using any information I have seen or heard whilst working within the CCG or outside the contract of work may initiate legal action from enforcing authorities, the CCG, its insurers or third parties.

I we understand that I am bound by a duty of confidentiality and agree to adhere to these conditions and to my personal responsibilities to comply with the requirements of the law.

I understand that failure to comply with the above rules may be regarded as serious misconduct, which could result in action being taken against me or my company.

Job title	
Name of company/directorate/ department/team	
Signature	
Date:	