



Confidentiality policy

The privacy and confidentiality of all those accessing the OTS service is paramount. OTS is committed to the principles of confidentiality and good practice.

Circumstances when Confidentiality may be breached:

- Where a therapist is legally required to disclose certain information (see below)
- Where there is a risk or perceived risk of serious harm to the client or another identifiable person.

Where the law requires disclosure

- **The Terrorism Act 2000.**

Section 19 requires disclosure of information regarding terrorist offences. Therapists are required to inform on the basis of belief or suspicion of an offence or intended offence. Failure to inform is an offence, which can lead to a fine, imprisonment for up to five years or both.

- **The Road Traffic Act 1988 (Section 172)**

Section 94 of the Act states that if a person knows that s/he is suffering from a relevant or prospective disability, s/he must inform the DVLA. Failure to do so without reasonable excuse is an offence. Therefore: Section 172 states that any person who is aware that the driver of vehicle is committing an offence shall provide information if required that will lead to the identification of the driver. Failure to do so is an offence.

- **The Drug Trafficking Act 1994**

This Act requires disclosure of information concerning anyone making money through drug trafficking,

- **The Children Act 1989, 2004**

Current law has moved in the direction of enabling professionals to share information when a need is identified and this is regulated by child protection legislation. There is an ethical requirement to both inform and cooperate with appropriate safeguarding agencies; Child abuse includes physical, emotional or sexual abuse and also applies to children living in a home in which domestic violence occurs, where the abuse on the child may be indirect.

The courts can also order disclosure of information in other circumstances. It's a very complex area and as we would always seek advice from professional associations before breaking confidentiality on a legal question.