COVID-19

MINISTRY OF HEALTH
MANATŪ HAUORA
New Zealand Government

# Information sharing advice for health care workers

**31 March 2020**

## Overview

The most important thing is to continue to safely provide health services throughout the pandemic.

This will include using messaging, telehealth and virtual technology that you may not normally use. This advice should help you to minimise information and technology risk while you deliver health services.

Remember:

- you may be able to share the pandemic-relevant health status of individuals
- information and technology to support the pandemic response should be used more freely throughout the health system and with other relevant agencies where appropriate
- confidentiality of patient information remains a priority.

## Who is this advice for?

Anyone working with health data or information who is required to access or share personally identifiable and health information as part of the COVID-19 response.

## What technology can I use?

- Messaging apps and video conferencing options should be used freely to support clinical consultations.
- If you have tools already approved for your work, use these in the first instance.
- Working remotely and from personal devices may be required.
- If you have a work approved device, use this in the first instance.
- If possible, use headsets for discussions and avoid talking on speakerphone.
- You should ensure make sure your area is secure and your devices are protected. For example:
    - encrypt your devices and set a strong passcode
    - avoid storing files on your personal devices if you can
    - if you must use a personal system, transfer to a work system and delete from your personal system as soon as possible
    - use a Virtual Private Network (VPN) to access your work files if you have one
    - avoid using open public hotspots if possible
    - lock screens when away from your computer and do not allow unauthorised people to 'shoulder surf' and see personal information you are working on
    - lock files out of sight at home and do not leave files in a vehicle or insecure area.

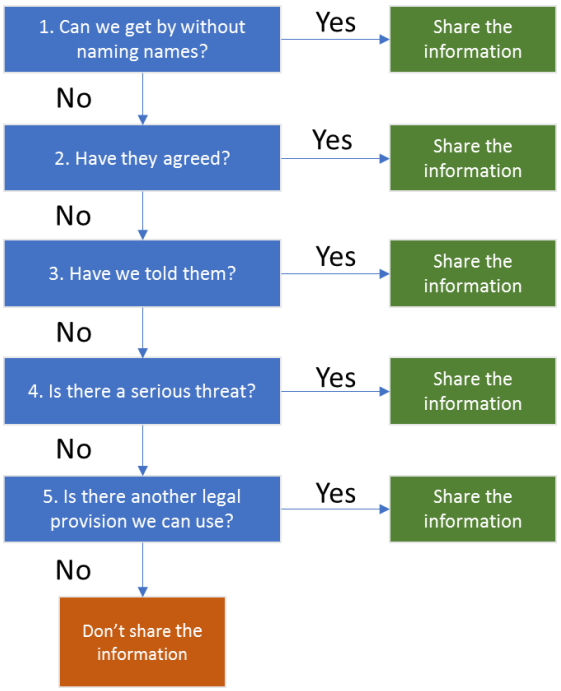
Please check with your IT department for advice and refer to the following sites on staying safe and secure:

- **ncsc.govt.nz/newsroom/working-remotely-advice-for-organisations-and-staff**
- **cert.govt.nz/about/news/covid-19-supporting-people-to-work-from-home**
- **netsafe.org.nz/scam-advice-reporting**

# Can I share information?

Here are some guiding rules for information sharing in the COVID-19 environment. Work through the following questions.

- If any answer is yes, you can share the information.
- If all answers are no, you should not share the information unless one of the answers changes.




# Additional information on questions

## Question 1: Can we get by without naming names?

- Use anonymous information where practical.
- Disclosing anonymous information is always okay. (For example, if you have professional supervision, you might be able to discuss a case without referring to any names.)

## Question 2: Have they agreed?

- Consent does not need to be written.
- Always record the fact that parties have agreed. Record any limitation or qualification of consent (eg, 'please don't involve the church').
- Check patients are able to speak freely and privately before a consultation starts (eg ask if they are in a room where they can't be eavesdropped and won't be interrupted).

## Question 3: Have we told them?

- If it is not practicable to obtain consent, the information may be used or disclosed if it is aligned to the purpose for which it was obtained.
- Inform the affected person of this where possible – ideally at the time the information was first collected from them or soon after that.
- If informing the person would prejudice the purpose of collection or would be dangerous to any person, this requirement can be waived.

## Question 4: Is there a serious threat (this may apply to many situations during a pandemic)

Information may be used or disclosed where there is a serious threat.

What is considered serious depends on:

- how soon the threatened event might take place
- how likely it is to occur
- how bad the consequences of the threat eventuating would be.

## Question 5: Is there another legal provision we can use?

Many different laws allow personal information to be shared. For instance, health information:

- about the health/safety of a child or young person can always be disclosed to a police officer or social worker
- can be requested by someone who needs it to provide health services
- can be disclosed where necessary to avoid prejudice to the maintenance of the law
- can be shared under an AISA.

If the answer to all five questions is 'no', then disclosure should be unnecessary and avoided, at least for now.

# Disclaimer

This guidance is intended to provide simple steps and guidance around the sharing of information during the COVID-19 response. This guidance does not overrule any legislation or policies that your organisation may have; however, it may provide a simple framework of what the Ministry of Health would consider reasonable due diligence when handling information in this situation that organisations can adopt.