Confidentiality flowchart

As a rule, personal information about patients should not be disclosed unless it is necessary. The following flowchart can help you decide whether personal information needs to be disclosed and, if so, what the justification is for doing so.

Would anonymised information be sufficient for the purpose? See paragraphs 81–83 and scenarios on disclosing information for tax purposes and for financial audit.

- Yes
- No

Is it appropriate or practical to seek explicit consent? See paragraph 14 for examples of when this might not be the case and scenarios on disclosing information to friends and family, about domestic abuse and for research.

- Yes
- No

Is it reasonable to rely on implied consent? See paragraphs 28–29 and 96 and scenarios on disclosing information for direct care and for local clinical audit.

- Yes
- No

Is the disclosure about a patient who does not have capacity to make the decision and of overall benefit to that patient? See paragraphs 41–49 and scenarios on disclosing information about domestic abuse and about a vulnerable adult.

- Yes
- No

Is the disclosure of identifiable information required by law? See paragraphs 17–19 and a scenario on disclosing information after death.

- Yes
- No

Is the disclosure of identifiable information approved through a statutory process? See paragraphs 20–21 and a scenario on disclosing information for research purposes.

- Yes
- No

Is disclosure justified in the public interest? See paragraphs 22–23 and scenarios on disclosing information about domestic abuse, a sex offender, reporting crime, serious communicable disease, and a vulnerable adult.

- Yes
- No

No obvious legal basis for disclosure. Ask person or body requesting information to identify the legal basis.

Ensure that appropriate controls are in place to minimise the risks of individual patients being re-identified. The controls that are required will depend on the risk of re-identification. See paragraph 86.

- Yes
- No

Has the patient given consent?

- Yes
- No

Disclose or provide access to relevant information. See paragraphs 10–12.

- Yes
- No

Disclose or provide access to information that is relevant, in the way required by law. Tell patients about disclosures if practicable. See paragraphs 87–94.

- Yes
- No

You may disclose or provide access to relevant information. If you are aware that a patient has objected to information being disclosed for such purposes, you should not usually disclose information unless it is required under the regulations. See paragraphs 103–105.

- Yes
- No

Only disclose or provide access to information that is relevant. Tell patients about disclosures if practicable. See paragraphs 63–70 for public protection disclosures, and 106–112 for other disclosures.

- Yes
- No

You can click through to the relevant paragraphs in our guidance, as well as to scenarios on our website that explore the issues in practice. You can find additional confidentiality scenarios on our interactive site Good medical practice in action.