

Confidentiality Policy and Procedures

Scope

The purpose of this policy document is to establish a clear and agreed understanding of what confidentiality means within **CHAT**, to encourage uniformity in practice and ensure that members know what they can expect from this organisation.

The term members not only refers to the organisations who are members of the Charity, but also groups, organisations and stakeholders, which consult **CHAT** and share with it confidential information about their agency. The policy applies to all staff, volunteers, and trustees of **CHAT** and continues to apply after their service or involvement with **CHAT** has ended.

Policy Statement

Responsibility

The manager of **CHAT** is responsible for ensuring that the policy and the procedures in this document are implemented efficiently and effectively. All other staff and volunteers (including voluntary Trustee Board members) are expected to facilitate this process.

In particular the manager will ensure that:

- line managers are aware of their responsibilities to their staff and volunteers
- arrangements are in place to monitor and implement this policy

General Principles

In the course of its work to support individuals and voluntary and community organisations, will be party to sensitive information and hold a range of contact and other details about individuals which is necessary for its work. **CHAT** recognises that confidentiality is an important factor in determining the level of trust and security members have in the service provided. Therefore it is important the safeguards for confidentiality are in place.

Why information is kept

Information is kept to enable **CHAT** staff to carry out the work of the Charity. In particular to:

- provide information on funding opportunities and assess information on delivery services of its members.
- enable staff to provide information, guidance and practical help to member organisations on a variety of issues;
- Enable the functioning of direct services.

Confidentiality Policy and Procedures

- Constructive liaison with other local agencies is essential if individuals and groups are to be offered effective services by CHAT.
- Information about ethnicity and disability is kept for the purposes of monitoring our equal opportunities policy and also for reporting back to funders.
- A range of other information is kept for monitoring purposes.

Procedure

1. Record keeping

CHAT keeps extensive record systems, using paper files and computers. Where necessary, personal details of **CHAT** staff and volunteers and members of **CHAT** services are recorded in these systems.

Only relevant information will be kept. When information becomes irrelevant it will be destroyed (e.g. unsuccessful application forms).

Information held by **CHAT** will not be used or supplied for the purpose of direct commercial marketing.

2. The Extent of Confidentiality

Staff and volunteers

Information about **CHAT's** volunteers, Trustee Board and staff is held in confidence.

Individuals

Individuals must give their permission before any information held about them, where that information specifically identifies them, or might lead to their identification, can be passed on to a third party.

Records of individuals who have spoken to **CHAT** regarding membership are stored on **CHAT** database system and will be deleted after two years if no further contact with the individual has been made.

Confidentiality Policy and Procedures

Voluntary and Community Organisations

The contact details for Voluntary and Community Organisations are not treated as confidential unless an organisation/group specifically asks for details to be kept confidential.

CHAT will not make its mailing lists available for marketing purposes or sell contact details for organisations.

Member Organisations will be made aware of this policy and what information is held about them. In particular small voluntary and community organisations operating from home addresses and personal telephone numbers will be given the option for this information to be confidential to **CHAT**.

CHAT will work to keep information up-to-date.

3. Sharing of information within CHAT

Information is confidential to **CHAT** as an organisation and may be passed to colleagues, line managers or trustees to ensure the best quality service for members.

Similarly, it is important that in supervision meetings staff and volunteers should feel able to talk freely about their experiences. Information given to staff members or volunteers acting on behalf of **CHAT** is, in these circumstances, considered to be given to **CHAT** as an agency rather than to the individual staff member or volunteer. However, it should be absolutely clear to all attending such meetings that they are bound by the agency's rules of confidentiality and that confidential matters must not be discussed outside **CHAT**.

Casual or social discussion about members that is conducted amongst **CHAT** staff or volunteers and outside **CHAT** premises is strictly prohibited.

4. Circumstance for breaching confidentiality

CHAT will not disclose sensitive information to a third party without the individual's consent except in a situation, where there is a risk of harm to an individual or to others or where there is a legal duty to do so.

There is a legal duty to breach confidentiality in cases of:

Child abuse, which will be reported to Social Services
Drug trafficking, money laundering, acts of terrorism or treason, which will be disclosed to the police.

Confidentiality may also be broken in situations where staff/volunteers believe an illegal act has taken place.

Confidentiality Policy and Procedures

In each of these circumstances, the **CHAT** staff member will warn the individuals of these limitations to confidentiality and of the need to disclose information; unless making such a warning would place the staff member in danger. The staff member should then advise their line manager of the circumstances and a course of action will be agreed. If that is not possible within an appropriate time limit then a member of the Trustee Board or another member of senior staff should be consulted before disclosure is made.

Decisions about disclosure/non disclosure and the reasons for them must be recorded.

5. Access to information

Information about individuals and voluntary/community organisations

Individuals may have sight of **CHAT** records held in their name or that of their organisation. The request must be in writing to the manager giving 14 days' notice and be signed by the individual, or in the case of an Charity's records, by the Chair. Sensitive information i.e. involving disputes or legal issues will only be made available to the person or organisation named on the file. Confidential information that has been provided by a third party may be removed from a file prior to its examination

Information about staff

Personnel information about staff is kept on paper file. All staff are free to see their own personnel file but are expected to respect privacy relating to other staff members.

6. Use of information for monitoring and evaluation purposes

CHAT reports to a range of funders and produces information to show the work the organisation has completed and the benefits this has brought.

Where possible anonymous information will be collected from Individuals/Members.

Individuals

Reports will not include information, which identifies individuals or could be used to identify individuals, unless specific consent has been sought from the individual concerned or their guardian.

7. Data Protection

All personal information (computerised or otherwise recorded) collected and held by **CHAT** is covered by the Data Protection Act. The Act requires all those using or collecting the information to abide by certain key principles.

Broadly, the Principles state that personal data must be:

Confidentiality Policy and Procedures

- obtained and processed fairly and lawfully
- held for the lawful purpose described in the registration
- used only for those purposes, and disclosed only to appropriate people
- adequate, relevant, and not excessive in relation to the purpose for which they are held
- accurate, and where necessary, kept up-to-date
- held no longer than is necessary
- accessible to the individual concerned who, where appropriate, has the right to have information about themselves corrected or erased properly
- safeguarded

CHAT recognises that the Data Protection Act applies not only to computer systems but also to manual (paper) filing systems that are structured by reference to individuals (eg by name, A-Z or by a subject easily identifiable with individuals).

Security of information

CHAT will maintain an appropriate level of security, in accordance with the Data Protection Act and this policy, to adequately protect information about individuals that is held in the systems. Sensitive paper files will be kept in a locked area and access to computer files and databases restricted by passwords.

8. Complaints/breaches of this policy

Employees who are dissatisfied with the conduct or actions of other colleagues or **CHAT** should raise this with their line manager, using the grievance procedure if necessary, and not discuss their dissatisfaction outside **CHAT**.

Individuals and members who are unhappy with practice or suspect a breach of confidentiality has occurred may complain through the **CHAT** complaints procedure.

Breaches of confidentiality will be treated very seriously. Colleagues accessing unauthorised files or breaching confidentiality are likely to face disciplinary action. Ex-employees breaching confidentiality may face legal action.