



Confidentiality Policy

Scope of this Policy

This policy covers the actions and obligations of the organisation's trustees, staff members and volunteers in relation to the handling of all types of information. This will include not only "personal information" (information about specific individuals), which is subject to strict legal restrictions under the Data Protection Act, but also other privileged information which may be obtained as a result, for example, of a person's role within the organisation or any external role on planning or advisory bodies.

Statement of Intent

All trustees, staff members and volunteers have a general duty of confidentiality. They are expected to act with good faith and honesty in not disclosing confidential information to third parties, as this may cause harm or distress to users of the service and/or damage to the interests or reputation of the organisation. The only exceptions to this duty are where there is a higher duty of disclosure either to protect vulnerable people from abuse, as set out in our Safeguarding policies, or to prevent a serious act of violence or self-harm (as set out below).

Principles

All trustees, staff members and volunteers should be guided by the Caldicott principles relating to personal information:

1. Every proposed use or transfer of personally identifiable information within or from the organisation should be clearly defined and justified
2. Personally identifiable information items should not be used unless there is no alternative.
3. Where the use of personally identifiable information is considered to be essential, each individual item of information should be justified with the aim of reducing identifiability
4. Access to personally identifiable information should be on a strict need to know basis
5. Everyone with access to personal confidential data should be aware of their responsibilities to respect client confidentiality
6. Every use of personally identifiable information must be lawful
7. The duty to share information can be as important as the duty to protect patient confidentiality.

All trustees, staff members and volunteers should therefore be aware of their legal duties under the Data Protection Act 1998 to ensure that personal information is:

1. Fairly and lawfully processed (i.e. with explicit or implied consent and in order to provide a service to the “data subject”);
2. Processed for limited purposes;
3. Adequate, relevant and not excessive;
4. Accurate and up to date;
5. Not kept for longer than is necessary;
6. Processed in line with your rights (i.e. data subject’s right of access);
7. Secure (e.g. internet security, back-up media, and locked filing cabinets);
8. Not transferred to other countries without adequate protection.

In relation to other types of information, trustees, staff members and volunteers should show awareness of the context in which they have acquired information and of the implied or explicit consents that are attached to this, i.e. whether the information is regarded by the person disclosing it as strictly confidential, non-attributable, embargoed until a specific time, or in the public domain. When in doubt as to the level of consent, they should either seek clarification from the discloser or err on the side of confidentiality.

Organisational Practice

All personal data relating to the organisation’s trustees, employees or volunteers will be held securely by the Project Coordinator in order to protect the confidentiality of individuals.

Personal information about individual service users will be held by nominated employees and will be held securely. Where personal information is of a sensitive nature, case notes and identifying information will be held in separate locations, with a coding system used for cross-referencing.

Storage, retention and disposal of information, including electronically held data, will be in accordance with relevant statutory provisions (A useful source of guidance is: Voluntary Sector Legal Handbook). Confidential paper records will normally be disposed of by cross-cut shredding.

Trustees will not normally have access to any information about individual service users. In the event of an individual case being referred to the Trustee Board, this will be considered by a small sub-committee or Officer group, with reporting to the full Trustee Board in anonymised form.

Limits to Confidentiality

Personal information of any kind will be collected only when it is necessary, and will normally be used only for the purpose(s) agreed with that individual.

In exceptional circumstances, where an individual’s personal safety is believed to be at risk, or where the safety of others is at risk, it may be considered necessary to divulge personal information to third parties without seeking the permission of the individual.

Action to be taken in any such case is set out in our Safeguarding policies.

Expectations of Staff

All trustees, staff members and volunteers are expected to treat all personal information that comes to their notice with due respect and appropriate confidentiality. All personal information shared with them during the course of their work or through other contact with clients and/or colleagues is to be treated in the strictest confidence. Information is only to be passed on or given to someone else with the express permission of the person originally imparting the information.

There is, however, one exception to this rule and that is in circumstances where the receiver of the information believes that there is a serious risk that the person

imparting the information is at risk of self harm (suicide etc), is at risk of harming someone else, or where harm is taking place involving other people, e.g. child abuse, elder abuse and homicide.

In such circumstances the worker should report the information to, and seek the advice of, the Designated Safeguarding Lead with regard to procedure if this has not been actively communicated and training provided.

It is important that any client or member of staff sharing information with you is made aware of the exceptions to the general principle of confidentiality.

Third party information is not as clear-cut and reference must be made to the policies and procedures of the agency or body sharing this information. If there is any doubt or concern that there may be a possible conflict of interest, then the advice of the senior staff member or appropriate trustee with responsibility for this area should be sought.

The unauthorised sharing or dissemination of confidential or privileged information will not be accepted and could lead to dismissal or removal as a trustee.

It may be appropriate to remind employees of any confidentiality clause in their contract of employment.

Adopted: 6 July 2020

Review by: 31 August 2025