

Confidentiality Policy

Policy Review Committee

Chairman **Mike Burrows**

Secretary **Tracey Crutchley**

Section 1 - Introduction

This policy seeks to provide clear guidelines about what confidentiality means in practice within Windmill Hill Community Forum Ltd. It applies to all staff, tutors, volunteers, and trustees of the Forum and continues to apply after their service or involvement with the organisation has ended.

This policy is intended to encourage uniformity of practice in the organisation and to protect the interests of staff, trustees, volunteers and service users. One of the founding principles of the policy is to respect the privacy of service users, be they organisations or individuals. This principle also applies to any information about the internal affairs of the organisation. The need to comply with legislative requirements such as the Data Protection Act 1994 and other contractual obligations are also an important aspect of this policy.

Students are made aware of the existence of this policy and have open access to it:

- On paper in a folder in the Telematics Centre
- Electronically on the Forum website at www.whcf.org.uk/policies

All tutors teaching at the Windmill Hill Telematics Centre are made aware of the contents and purpose of this policy.

This policy is reviewed annually and may be revised in response to feedback from students, tutors, and external organisations.

Section 2 – Policy

1. Information Relating to the Organisation

- 1.1 Information concerning the internal operation of the Windmill Hill Community Forum Ltd should be generally treated as confidential. This would include:
 - Financial reports and contractual details
 - Staff and volunteer personal records
 - Information relating to disciplinary or grievance procedures
 - Information obtained from organisations and individuals receiving a service.
- 1.2 Incoming post marked 'Personal' or 'Private & Confidential' will be treated as such and will be passed on to the addressee unopened unless otherwise authorised.
- 1.3 Confidential interviews are to take place in a private interview/meeting room.
- 1.4 The Forum keeps extensive record systems, using paper files and computers. Where necessary, personal details of the Forum Staff and users of a Forum service are recorded in these systems. Each staff member and user of the Forum's services has the right to see any information that the organisation keeps on them, whether in paper or computer files and to change that information where it is inaccurate. Confidential information that has been provided by a third party may be removed from its file prior to its examination, but must be returned immediately after use.
- 1.5 The Forum will maintain an appropriate level of security, in accordance with the Data Protection Act and this policy that will adequately protect information about individuals that is held in the systems. Paper files will be kept in a locked area and computer-based files will be password protected.
- 1.6 The data provided by the Forum should not include information that could easily lead to the identification of individuals. The use of information for reports, monitoring and funding applications, will scrupulously avoid any specific detail about individuals that might lead to their identification, unless they have given their prior permission for it to be so used.
- 1.7 The purpose of gathering information from organisations to be made public in a directory, either printed, on paper, or electronically, must be made clear to those organisations. They must check the accuracy of the information and their consent to its distribution obtained before publication.
- 1.8 Constructive liaison with other local agencies is sometimes essential if groups and individuals are to be offered an effective service by the Forum. However, users of the Forum's services must give their permission, before any information that is held can be shared with others.

2. Data Protection Act

- 2.1 The Data Protection Act 1998 requires organisations to register the information they hold about people, and what they do with it. It is the responsibility of the Secretary to ensure that this legal requirement is met.
- 2.2 The Forum recognise that the Data Protection Act now applies not only to computer systems but also to manual (paper) filing systems that are structured by reference to individuals (e.g. in a card index or filing system).
- 2.3 Where information relating to racial or ethnic origin, political opinions, religious or other beliefs, trade union membership, health, sexuality, criminal proceedings and convictions are collected and processed, the individual concerned should give explicit consent, although there are some exceptions under which the information can be collected without explicit consent. A significant exception is where information is being collected for the sole purpose of monitoring which is aimed at promoting equal opportunities. In such cases the Forum will inform the person about the purposes for which information will be used.
- 2.4 Information held by the Forum will not be used, or supplied, for the purpose of external commercial direct marketing. In the case of directories or similar publications, the Forum will seek consent from organisations or individuals before releasing their details into the public domain.

3. Users of the Windmill Hill Community Forum Ltd Services

- 3.1 Any user of the organisation's services, be they an organisation or individual, has the right to expect, that information given will be used for the purpose for which it was given, and should not be released to anyone else either inside, or outside, the organisation without their consent.
- 3.2 Information relating to an individual will not be given to a third party without the individual's consent or the consent of their responsible representative.
- 3.3 There may be exceptional situations where it would be appropriate to breach confidentially or divulge information. Such circumstances could include:
 - Where an individual will be placed at risk of physical danger, or where withholding information could cause harm or injury to the individual.
 - Where a criminal offence has been, or will have been, committed.

In such circumstances, the matter should be discussed with the Secretary.

4. Electronic Information

- 4.1 Where possible, individual workstations which contain sensitive or confidential data should be password protected. Where this is not possible, individual files should be password protected. Staff should not disclose passwords or security details to others, except when required to do so by a trustee.
- 4.2 On no account should confidential work be stored in shared folders. Personal folders should not be shared and confidential work should be password protected.
- 4.3 The Forum will not electronically store the email addresses of people making general enquiries. Only regular contacts should be stored in email address books, and consent should be sought prior to any group postings. Staff should treat personal email addresses in the same manner as private telephone numbers. Where individuals, or organisations, subscribe anonymously to email network systems, an acceptance confirmation should be posted to the subscription address.
- 4.4 The Forum staff should use standard signatures, which refer to confidentiality when posting email externally. Standard signatures are outlined in the Forum ICT policy.
- 4.5 Any online information collected through the Forum website will only be used for statistical analyses as an aggregate. If personal information is sought directly, then details of privacy will be published online, and will include details of the processing related to the collection, registration, preparation, storage or destruction of that information.

5. Board of Trustees and any Sub-Committees

- 5.1 The Board of Trustees has overall and final responsibility for ensuring that the Forum meets its legal responsibilities regarding confidentiality, in relation to criminal record checks, the Data Protection Act and any current, or subsequent, human rights legislation, which guarantees a right of privacy.
- 5.2 Minutes of the Trustees and General meetings are public documents, save for matters concerning individual members of staff. Trustees are reminded that all personnel matters must be documented and distributed separately from the general minutes
- 5.3 Members of the Forum's Board of Trustees and its Sub-Committees include individuals from various backgrounds, some of whom are there in a formal capacity on behalf of other agencies, some of which have statutory duties. Such representatives should normally regard information that they learn as members on a committee of the Forum, as confidential to themselves and to the committee. If however, as a result of their membership of the committee, they become aware of information that they feel they cannot ignore as a member of a statutory or other

body, they should bring this to the attention of the committee, so that the statutory or other implications can be formally acknowledged.

5.4 The Board of Trustees will review the operation of this policy annually.

6. Secretary

6.1 The Secretary has the responsibility for ensuring that the confidentiality policy is put into practice. In particular the Coordinator will ensure that:

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

7. Implementation

7.1 Service users will be informed of the confidentiality policy and their right to complain if information appears to have been divulged without their consent.

7.2 Trustees, staff and volunteers, will be made aware of the confidentiality policy and its application to all issues concerning the services and internal affairs of the organisation. These will be covered during staff and volunteer recruitment and induction. A clause in respect of breach of confidentiality is to be included in all contracts of employment.

7.3 In exceptional situations (see 1.3 above) the member of staff concerned must consult a Trustee.

7.4 Unauthorised breach of confidentiality will be considered as a serious case of misconduct and in relation to staff could lead to disciplinary action.

7.5 Nothing in this policy overrides the right of the Trustees, to access all incoming and outgoing communications if they feel the need to do so. This right will only be exercised in exceptional circumstances.

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Revised by Mike Burrows

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