

Confidentiality Policy & Procedures



Title of Policy: Confidentiality

Effective Date: November 2018

Review Date: November 2021

Policy Number: 1

Policy Administrator: Tracy Kinghorn

Policy authorised by: Nicola Williams

Confidentiality Policy & Procedures

Introduction

Allsorts Support Services CIC & Allsorts Community (Which will be referred to as the organisation throughout this policy).

We want all service users to have successful and fulfilling lives.

This policy document should be considered in conjunction with all other relevant duties, policies and guidance.

Aim of the Policy

This policy is intended to set out the values, principles and policies underpinning the organisation's approach to Confidentiality for all staff.

The policy has the following aims:

- To maintain a safe and healthy environment for all service users and employees.
- To comply with applicable laws and legislation.

This policy is informed by the organisation's understanding of its statutory duties as an employer.

Aim

Allsorts Support Services CIC recognises that the principle of confidentiality should comprise any information about its service users and the internal affairs of the organisation and should be adhered to by all members of staff and volunteers.

Our service users, all members of staff and volunteers have a right to privacy and confidentiality and it is essential to ensure that they have trust and confidence in Allsorts Support Services CIC and are treated with respect and dignity.

Staff will be made aware that their duty of confidentiality is a main term and condition of their Contract of Employment and will be asked to sign a statement of confidentiality indicating that they have read, understood and will abide by this policy. Staff members and volunteers will also be asked to sign the statement of confidentiality.

Confidentiality Policy & Procedures

The aim of this policy is to:

Ensure that users approach Allsorts Support Services CIC with trust and confidence.

Ensure that all members of staff and volunteers of Allsorts Support Services CIC understand and carry out their duties to safeguard a user's rights to confidentiality by avoiding careless or wrongful disclosure of information entrusted to Allsorts Support Services CIC by the user.

Ensure that all members of staff and volunteers of Allsorts Support Services CIC understand that their knowledge about internal affairs or the financial status of Allsorts Support Services CIC is confidential.

Practical Aspects

Allsorts Support Services CIC offers to its users a confidential service. It is implicit therefore that such confidentiality is respected.

An enquirer's approach is to the organisation rather than to an individual member of staff or volunteer. Discussion of information with another member of staff or volunteer of Allsorts Support Services CIC, who may be able to help with the query, does not breach confidentiality.

In no circumstances should details of a client be discussed outside the organisation by anyone working on behalf of Allsorts Support Services CIC in such a manner that it is possible to identify the service user. The exception to this is where written or verbal permission is obtained from the service user first.

A caller may request that information should not be divulged to anyone else. This wish should be respected. The only exception would be where such information contravenes the law, endangers others, or in an emergency "life and limb" situation. Confidentiality does not apply in possible cases of safeguarding.

In these circumstances staff should consult the Policy co-ordinator or in their absence the manager, first advising the user that this action is necessary.

Confidentiality Policy & Procedures

The user will have the right to complain if information is divulged without his/her permission. The complaint will follow the procedure set out in the Complaints Procedure of Allsorts Support Services CIC.

The manager of Allsorts Support Services CIC will monitor the effectiveness of this policy and bring it forward for review at least every 3 years.

Procedures to be followed

In no circumstances should details which enable an individual to be identified be made public or passed to a third party without the user's informed consent verbally, or in writing if the situation is felt to warrant it.

Wherever possible, a signed consent form will be completed by the service user's parent/carer to ensure that they have given informed consent on how their data will be used.

Such consent is valid only for the purpose for which it was given. If information is to be re-used in a different context, permission should be sought again.

If an individual is not in a fit state mentally or physically to give permission, it should be sought from their carer, relative or parent and only with the consent of the manager or member of staff with authority to deputise.

Enquiries Involving Third Parties

Correspondence from Allsorts Support Services CIC on behalf of a service user should make it clear that the reply will be shown to the user. In the event of a response being received from a third party that would, in the opinion of Allsorts Support Services CIC, damage relations or negotiations with the user, Allsorts Support Services CIC should check with the other agency that the answer could be shown to the user.

The situation often arises where an enquiry is made on behalf of someone else (third party), e.g. by a relative, friend or carer. Confidentiality is not broken if information is given, to be passed on, but whenever possible this should be backed up with a relevant paperwork, to ensure that the information ultimately received by the third party is accurate.

Confidentiality Policy & Procedures

Where it is agreed that Allsorts Support Services CIC will contact a third party on behalf of the service user, the service user's parent/carer must sign an authorisation form. This should be placed on the service user's record.

A new consent form must be signed each time a new issue is opened, e.g. where a service user returns for further advice or advice on a different matter after a previous case has been closed.

Without this permission there is a breach of confidentiality as action would be taken without the knowledge or consent of the third party and may not be in accordance with their wishes or in their best interests.

In cases where an enquirer acting on behalf of someone else is in possession of documents suggesting that he/she is acting with full knowledge and consent of the third party, great care should be taken and the employee/volunteer should consult the manager if there is any doubt that the confidentiality rule could be breached.

Keeping and Safeguarding Records

Records relating to service users are available to relevant staff who have undergone selection and training and who have signed the statement on confidentiality.

Care must be taken at all times to ensure that all records are handled with discretion and are secured when the premises are not staffed. Correspondence and other records, file systems pertaining to an individual or organisation should not be left on desks or in places where access to the information cannot be controlled. Notes should be destroyed once case files/data base records have been compiled.

All enquiries should be kept in lockable cabinets.

Personnel files for staff should be stored in locked cabinets. All members of Staff have the right to see their own files on request.

Confidentiality Policy & Procedures

Old records and files should be regularly monitored and information destroyed when it is no longer necessary to keep it. Information on time limits for file retention is held in Finance.

The same principles should be applied to confidential information papers. Allsorts Support Services CIC is registered under the General Data Protection Regulations (GDPR) and complies with the requirements. The Act gives protection against possible dangers arising from the use and storage of recorded information on computer:

- The use of personal information that is inaccurate, incomplete or irrelevant
- The possible access to personal information by unauthorised persons
- The use of personal information in a context or for a purpose other than that for which the information was collected.

Use of Telephone

It is important that care is taken over the use of the telephone. Care must also be taken to prevent a personal caller from hearing or witnessing a conversation with another service user. Where two or more conversations are simultaneously taking place on telephones, staff must ensure that confidentiality is not breached.

When calling a person back, staff must check that the person they want is the person they are speaking to before divulging information about the person or stating they are from Allsorts Support Services CIC.

Confidential information should not normally be sent by fax. If it is necessary to do so, the first page must indicate clearly that the material is confidential and who should receive it. Prior arrangements should be made with the recipient to ensure that confidentiality is not breached.

Removal of Information from the Premises

It is sometimes necessary for staff to carry with them on home visits, or when attending meetings, information and/or documents relating to individuals or the organisation. Staff must exercise due care and attention to ensure that such material is kept to a minimum, is safe and in their possession at all times. Particular care should be taken with diaries where appointments indicate the

Confidentiality Policy & Procedures

name and address of a service user. No such material/information should be left unattended in a vehicle.

Papers relating to individuals must, when no longer needed, be returned to the office.

Information from Other Organisations

Staff may receive confidential or sensitive information relating to other groups or other organisations. The same standards of confidentiality should be adhered to, as is the case with individuals approaching Allsorts Support Services CIC. Such information should only be divulged, if appropriate, to a colleague or third party within the organisation, and never to anyone outside without consultation with the manager.

When in doubt about how to handle any information received, staff should contact a senior colleague or manager and inform them of the position.

Policy Statement

The organisation will provide a structure for the development of policies and other written documents.

This will include:

- Ensuring that staff has access to the most recent copies of the organisation's documents.
- Establishing a control procedure for all policies and other written documents to ensure that those in use are current and relevant.
- Ensuring that the equality impact assessment process is completed on all policies and procedures.
- Ensuring systems exist to monitor the use of, and compliance with, all written documents
- Developing and maintaining a central database of policies, procedures and written documents
- Maintaining an archive of past written documents, for reference and to meet legal requirements.

Confidentiality Policy & Procedures

All policies and other written documents

It is the responsibility of the Policy administrator to ensure that when a document is revised, a copy of the original is forwarded to the Manager. Once revised policies and other written documents are approved, the Manager will pass on to all employees.

Staff will be notified of newly approved/revised policies, procedures and guiding documents within one week of approval by the manager.

Non-compliance with this Policy

In the unlikely event of a member of staff not respecting the policy, the organisation's manager should attempt to resolve the situation informally in the first instance. Ultimately, repeated breaches of the policy will result in disciplinary procedures and may lead to dismissal.

Policy Implementation

It is the responsibility of the Policy administrator to keep all policies and procedures up to date. The manager will identify how any policy or written document will be implemented. This will include liaising directly with the policy administrator in order to ensure that staff training requirements have been highlighted. Overall responsibility for ensuring the policy is implemented, monitored and reviewed rests with the organisation's Manager.

Information on the policy will be:

- Circulated to all staff
- Provided to all new employees

Training

All new staff will be required to read all policies as part of their induction process.

Confidentiality Policy & Procedures

Review Process

The Manager requires that certain policies must be reviewed annually. These are:

- Safeguarding policy
- All other policy documents must be reviewed no later than three years after initial approval and regularly reviewed on the same basis thereafter.
- Documents will be reviewed more frequently if changes in legislation or the service requires it.
- It is the responsibility of the policy administrator will ensure that documents are reviewed in line with their review dates.

Where a review necessitates considerable change to the previous document, the process will be treated as though it is a new document.

Minor amendments can be notified by distributing copies of the policy to appropriate recipients, with a cover sheet with the changes are and their implications. This sheet should be kept with the original.

Review of Policy

This policy will be reviewed on a three yearly basis or at an earlier date if changes are required due to changes in government advice.

