



Whole Again Communities Confidentiality Policy

Amended May 2019 to be reviewed May 2020

Scope of this Policy

This policy covers the actions and obligations of **Whole Again Communities (WAC)** 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 and General Data Protection Regulation (GDPR), but also other privileged information which may be obtained as a result, for example, of a person’s role within **WAC** or any external role on planning or advisory bodies.

Statement of Intent

All staff members and volunteers have a **general duty of confidentiality**. They are expected to act with good faith and honesty in not disclosing personal or 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 **WAC**. The only exceptions to this are where there is a higher duty of disclosure either to protect vulnerable people from abuse (*as set out in our policy on Protecting Vulnerable Adults from Abuse*), or to prevent a serious act of violence or self-harm (as set out below).

Principles

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

- Every proposed use or transfer of personally identifiable information within or from **WAC** should be clearly defined and justified
- Personally identifiable information items should not be used unless there is no alternative
- 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

- Access to personally identifiable information should be on a strict need to know basis
- Everyone should be aware of their responsibilities to respect client confidentiality
- Every use of personally identifiable information must be lawful and adhere to GDPR guidance

All staff members and volunteers should therefore be aware of their legal duties under the Data Protection Act 1988 and the General Data Protection Regulation to ensure that personal information is:

- Fairly and lawfully processed (i.e. with explicit or implied consent and in order to provide a service to the “data subject”)
- Processed for limited purposes
- Adequate, relevant and not excessive
- Accurate and kept up to date
- Not kept for longer than necessary
- Processed in line with your rights (i.e. data subjects’ right of access)
- Secure (e.g. password protected/internet security/back up media/locked filing cabinets)

In relation to other types of information staff members and volunteers should show awareness of the context in which they have acquired information and of the implied and explicit consents that are attached to this. This means 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. If in doubt **WAC** members should either **seek clarification** from the discloser or **err on the side of confidentiality**.

Limits to Confidentiality

Personal information of any kind will only be collected by **WAC** 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, 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 *Protecting Vulnerable Adults from Abuse policy*.
- In the case of information about the organisation, the only exception to the confidentiality requirement would be where there is a clear and pressing public interest justification for disclosure.

Organisational Practice

All personal data relating to **WAC’s** staff or volunteers will be held securely by the CEO in order to protect the confidentiality of individuals.

- Personal information about individual service users may be held by other nominated employees, and will be held securely.
- Storage, retention and disposal of information, including electronically held data, will be in accordance with relevant statutory provisions.
- Confidential paper records will normally be disposed of by cross-cut shredding.

Expectations of WAC Staff and Volunteers

WAC staff members and volunteers need 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 one exception to this rule.

- **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 or murder.

In these circumstances you should report the information to, and seek advice from the CEO. This is **Liz Sullivan** on **07557 807015**

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

If there is any doubt or concern that there may be a possible conflict of interest, then the advice of the CEO should be sought.

The unauthorised sharing or dissemination of confidential or privileged information will not be accepted and could lead to dismissal