

RotherFed

Confidentiality policy

1. General principles

- 1.1. RotherFed recognises that its employees, volunteers and trustees gain information about individuals and organisations during the course of their work or activities. In most cases such information will not be stated as confidential and employees, volunteers and trustees may have to exercise common sense and discretion in identifying whether information is expected to be confidential. This policy aims to give guidance but if in doubt, seek advice from your the Development Manager or the Chair.
- 1.2. Employees, volunteers and trustees are able to share information with the Development Manager in order to discuss issues and seek advice.
- 1.3. Employees, volunteers and trustees should avoid exchanging personal information or comments. RotherFed is legally liable for all adverse comments made through any medium (including e-mail) about any individual or organisation, especially in social situations.
- 1.4. Employees, volunteers and trustees must not disclose to anyone, other than their line manager, any information considered sensitive, personal, financial or private without the knowledge and consent of the individual, or, in the case of an organisation, an officer.
- 1.5. Where there is a legal duty on RotherFed to disclose information, the person to whom the confidentiality is owed will be informed that disclosure has been or will be made.

2. Why information is held

- 2.1. Most information held by RotherFed relates to voluntary and community organisations, self-help groups, volunteers, employees, Trustees or services which support or fund them.
- 2.2. Information is kept to enable RotherFed employees, volunteers and trustees to understand the history and activities of organisations in order to deliver the most appropriate services.
- 2.3. RotherFed has a role in putting people in touch with voluntary and community organisations and keeps contact details which are passed on, except where the organisation or individual expressly requests that the details remain confidential.
- 2.4. Information about volunteers is given to known groups or statutory agencies which request volunteers, but is not disclosed to anyone else.
- 2.5. Information about ethnicity, disability and gender of users is kept for the purposes of monitoring our equal opportunities policy and also for reporting back to funders.

3. Access to information

- 3.1. Information is confidential to RotherFed as an organisation and may be passed to employees, volunteers, managers or Trustees to ensure the best quality service for users.
- 3.2. Where information is sensitive (eg. it involves disputes or legal issues) it will be confidential to the member of staff dealing with the case and the Development Manager only. Such information should be clearly labelled ~~Confidential~~ and should state the names of the employees, volunteers and trustees entitled to access the information and the name of the individual or group who may request access to the information.
- 3.3. Users may have sight of RotherFed records held in their name or that of their organisation. The request must be in writing to the Development Manager giving 14 days notice and be signed by the individual, or in the case of an organisation's records, by the Chair or Executive Member. Sensitive information as outlined in para 3.2 will only be made available to the person or organisation named on the file.

4. Storing information

- 4.1. General non-confidential information about organisations is kept in unlocked filing cabinets with open access to all RotherFed employees, volunteers and trustees .
- 4.2. Information about volunteers, students and other individuals will be kept in filing cabinets by the colleague directly responsible. These employees, volunteers and trustees must ensure managers know how to gain access.
- 4.3. Personnel information will be kept in locked filing cabinets by managers and will be accessible to the Development Manager.
- 4.4. Files or filing cabinet drawers bearing confidential information should be labelled ~~Confidential~~
- 4.5. In an emergency situation, the Development Manager may authorise access to files by other people.

5. Duty to disclose information

- 5.1. There is a legal duty to disclose some information, including:
 - 5.1.1. Child abuse will be reported to the Social Services Department.
 - 5.1.2. Drug trafficking, money laundering, acts of terrorism or treason will be disclosed to the police.
- 5.2. In addition, employees, volunteers and trustees believing an illegal act has taken place, or that a user is at risk of harming themselves or others, must report this to the Development Manager who will report it to the appropriate authorities.

5.3. Users should be informed of this disclosure.

6. Disclosures

6.1 RotherFed complies with the CRB Code of practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information.

6.2 Disclosure information is not kept by RotherFed.

7. Data Protection Act

7.1. Information about individuals, whether on computer or on paper, falls within the scope of the Data Protection Act and must comply with the data protection principles. These are that personal data must be:

- Obtained and processed fairly and lawfully.
- Held only for specified purposes.
- Accurate and up to date.
- Processed in accordance with the Act.
- Kept secure and protected.

8. Breach of confidentiality

8.1. Employees who are dissatisfied with the conduct or actions of other employees, volunteers and trustees or RotherFed should raise this with the Development Manager using the grievance procedure, if necessary, and not discuss their dissatisfaction outside RotherFed.

8.2. Employees, volunteers and trustees accessing unauthorised files or breaching confidentiality may face disciplinary action. Ex-employees breaching confidentiality may face legal action.

9. Whistleblowing

9.1. Where a member of staff has concerns about the use of RotherFed funds, or knows of any behaviour that is not covered by the current policies or procedures then s/he may refer directly to the Development Manager or Treasurer outside the usual grievance procedure.