



Confidentiality Policy

September 2024

DOCUMENT CONTROL

Document Title	Confidentiality Policy	
Publication Date	October 2024	
Policy Owner/Author	Faye Eldon	
Review Date	October 2026	
Approved/Ratified by	Board of Trustees	Date September 2024
Distribution	All Nursery Staff	

Please note that a record of the changes made to the original issue of this document can be found at Schedule 1 after any Appendices to the Policy/Procedure.

Version Number:	Publication Date:	Nature of, and Reason for, Change(s)
1	February 2022	Original
2	September 2024	Reviewed and updated

Introduction

1.1 The purpose of this policy is to ensure that all personal data held by Howgill Family Centre (Howgill) is maintained in accordance with the General Data Protection Regulation (GDPR) and Data Protection Act 2018 and other relevant legislation, and specifically that:

- every employee and volunteer are aware that there is a statutory duty to protect the confidentiality of information about individuals.
- those individuals are informed of the information that is held about them and the reasons for which the personal information may be needed.
- members of the public are treated with a right of respect for their privacy.
- appropriate controls are in place to ensure that confidentiality is maintained.

1.2 This policy is based on the expectation that information held by Howgill about members of the public and about the organisation itself will be treated as confidential.

1.3 This policy does not form part of any employees' contract of employment and may be amended from time to time.

1.4 The Board of Trustees is responsible for the policy and will conduct regular reviews to ensure that it is maintained, particularly in relation to its legal responsibilities, and amendments will be made, as necessary. The Howgill Manager has responsibility for ensuring that the policy is implemented and that appropriate procedures are established to ensure compliance.

1.5 All employees have an obligation to familiarise themselves with this policy.

1 Definitions

2.1 For the purposes of this policy, 'employees' includes:

- all individuals who are employed by Howgill, including volunteers and Trustees and those on placement or secondment to other organisations
- all individuals carrying out duties for Howgill under a placement or a secondment contract.

2 Principles

3.1 Howgill will at all times respect the privacy of its clients, employees, volunteers, donors and all matters relating to the organisation itself.

3.2 Personal and financial information is confidential and privileged and should not be disclosed or discussed with anyone without permission or authorisation. It is the responsibility of everyone working for or with Howgill to protect the confidentiality of personal information.

3.3 Under no circumstances may confidential information be shared with anyone not directly connected with Howgill, including ostensibly private discussions in social settings or on social media. Care should be taken to ensure that unauthorised individuals do not overhear any discussion of confidential information.

3.4 Where there is a need to share or discuss personal or financial information, this should be anonymised wherever possible, although this does not of itself remove the duty of confidentiality.

3.5 External practitioners or organisations working with Howgill may only use the information as authorised to do so, and this must be explicit in all working practices.

3.6 Where employees, including Trustees, are exposed to information, which is confidential, privileged or proprietary in nature, such information must be kept confidential both during and after employment or volunteer service.

3.7 This policy should be read in conjunction with Howgill's Codes of Conduct and Practice.

3 When confidential information may be used

4.1 All clients must be made aware of any personal information held about them which is obtained in conducting its services and the reasons why the information may be needed. Every client must be given the opportunity to provide or refuse permission for the use of that information.

4.2 Confidential information should only be made available on a 'need to know' basis.

4.3 Howgill employees, volunteers and other individuals connected with the provision of its services will have strictly controlled access to all personal information to ensure that services are provided appropriately, effectively and efficiently.

4.4 To ensure that Howgill can provide its services effectively, confidential information may be used in the following circumstances:

- in the delivery or provision of services and support
- assuring and improving the quality-of-service provision (e.g. case reviews)
- monitoring and evaluating services.
- co-ordinating client care with that of other agencies (e.g. statutory, voluntary and independent services)
- for effective administration (e.g. managing and planning services, finances, auditing accounts, investigating complaints, etc)
- statistical analysis and research in support of the above.

4.5 At all times, client wishes should be taken into account in making decisions regarding the disclosure of information.

4.6 There is a legal duty to disclose some information (see Safeguarding policy), including:

- Concerns about a child will be reported to Cumbria Children's Services
- drug trafficking, money laundering, acts of terrorism or treason will be disclosed to the police.

Where employees believe that an illegal act has taken place, they must report this to the Howgill Manager. If a client is at risk of harming themselves or others, then the police should be immediately informed.

5. Authorisation for use of confidential information

5.1 Decisions to discuss or impart information about individual clients should be taken by the practitioner responsible for the lead in the current support package, or on the advice of their line manager.

5.2 Decisions to pass on information about confidential information relating to Howgill itself must be obtained from the Howgill CEO.

5.3 All decisions and related reasons for the sharing of data must be recorded in writing.

6 Storage and access to confidential information

6.1 The ease with which personal information can nowadays be passed within the organisation is an undoubted benefit for clients, and for those involved in their service provision. Howgill must endeavour to ensure that appropriate measures are in place to ensure that all sensitive information is appropriately protected.

6.2 All arrangements for the storage, disposal and handing of confidential information relating both to individuals and Howgill itself, whether manual or computer based, must protect confidentiality, and must ensure that:

- Personal information will be retained only for as long as is deemed necessary.
- manual files must be clearly marked 'Confidential' and must be stored in lockable cabinets marked 'Confidential.'
- access to such files and cabinets is appropriately restricted.

Appropriate working practices must be established to ensure that access to confidential information held on IT equipment is adequately protected, including the use of passwords.

6.3 Care must be taken to ensure that unintentional breaches of confidence do not occur.

7 Breach of confidentiality

7.1 Employees who are dissatisfied with the conduct or actions of other employees should raise this in accordance with the Grievance policy and must not discuss their dissatisfaction outside Howgill.

7.2 Breach of confidentiality is a serious matter that may lead to:

- for an employee - disciplinary action by Howgill (see Disciplinary policy) or associated professional regulatory body, or legal action by a client. This may result in removal or dismissal.
- for an ex-employee - legal action.