Confidentiality Policy

Date: 24/06/2021

Next Review: 24/06/2022

# 1. Statement of Intent

1.1 All people who approach Brundall Memorial Hall for information or advice have a right to expect that information held by Brundall memorial Hall regarding them is treated with respect and that all staff, Trustees and volunteers with whom they come into contact abide by the principles outlined in this policy. If a user feels that confidentiality has been breached they have the right to complain. In this event they should be directed to the Complaints Procedure.

# 2. General principles

2.1 Staff, Trustees and volunteers will have access to information as part of their role within Brundall Memorial Hall which is confidential in addition to client related information outlined below, this can include policies, correspondence, and other documents. These form part of either Brundall Memorial Hall’s intellectual property, represent confidential internal discussions or are commercially sensitive. All individuals within Brundall Memorial Hall must ensure that such information is not distributed externally to the organisation without clear consent from the relevant Manager.

2.2 All persons contacting Brundall Memorial Hall have a reasonable right to assume that any disclosure of information they make will be treated in confidence within the organisation and will not be passed on without their consent.

2.3 However, staff should not promise confidentiality where a person discloses matters relating to child protection or the protection of vulnerable adults. Information will only be passed on in accordance with current good practice and local authority procedures.

2.4 Brundall Memorial Hall recognises that staff 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 staff 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 Line Manager.

2.5 Members of staff are able to share information with their colleagues in order to discuss issues, seek advice, and share work. However, this must always be done in ways which are respectful, and which avoid “labelling” or “gossip”.

2.6 It is not appropriate to discuss a person’s personal and private affairs without their prior consent.

2.7 Staff should avoid talking about organisations or individuals in social settings.

2.8 Staff should not disclose to anyone, other than their Line Manager, any information considered sensitive, personal, financial or private without the knowledge or consent of the individual, or an officer, in the case of an organisation.

2.9 There may be other settings where staff would want to discuss difficult situations to gain a wider perspective on how to approach a problem and a discussion may take place with names or identifying information remaining confidential.

# 3. Why information is held

3.1 Most information held by Brundall Memorial Hall relates to voluntary and community organisations, self-help groups, volunteers, employees, trustees or services which support or fund them, hereafter known as service users.

3.2 Information is kept to enable Brundall Memorial Hall staff to understand the history and activities of organisations in order to deliver the most appropriate services.

3.3 Brundall Memorial Hall has a role in putting people in touch with voluntary and community organisations and keeps contact details which are passed on to any enquirer, except where the group or organisation expressly requests that the details remain confidential.

3.4 Statistics on ethnicity and disability are kept for the purposes of monitoring our equal opportunities policy and also for reporting back to funders.

# 4. Access to information

4.1 Information is confidential to Brundall Memorial Hall as an organisation and may be passed to staff, Line Managers or trustees to ensure the best quality for service users.

4.2 Where information is sensitive, i.e. it involves disputes or legal issues it will be confidential to the employee dealing with the case and their Line Manager. Such information should be clearly labelled ‘Confidential’ and should state the names of the staff entitled to access the information and the name of the individual or group who may request access to the information.

4.3 Service users may have sight of Brundall Memorial Hall records held in their name or that of their organisation. The request must be in writing to the Chair of trustee’s c/o of the Memorial Hall. giving 10 working days’ notice and be signed by the individual, or in the case of an organisation’s records, by the Chair of Trustees. Sensitive information as outlined in paragraph 5.2 will only be made available to the person or organisation named on the file.

4.4 Employees may have sight of their personnel records by giving 14 days’ notice in writing to the Chair of Trustee’s.

4.5 When photocopying or working on confidential documents, staff must ensure they are not seen by people in passing. This also applies to information on computer screens.

4.6 Confidential information should never be sent via e-mail without a password.

# 5. Storing information

5.1 General non-confidential information about organisations is kept in unlocked filing cabinets with open access to all Brundall Memorial Hall staff.

5.2 Employees’ personnel information (including that of volunteers) will be kept in lockable filing cabinets by the Hall Administrator and will be accessible to Nominated Trustee’s.

5.3 Files or filing cabinet drawers bearing confidential information should be labelled ‘confidential’. Confidential information held on the network should be password protected.

5.4 In an emergency situation, the nominated trustee’s may authorise access to files by other people.

5.5 When there is no longer a need to keep sensitive information, this information will be shredded and not simply thrown out.

# 6. Duty to disclose information

6.1 Staff believing an illegal act has taken place or that a user is at risk of harming themselves or others, must report this to the Nominated Trustees who will, if appropriate, protect the source and report it to the proper authorities.

6.2 Service users should be informed of this disclosure.

6.3 There is a legal duty to disclose certain illegal acts to the appropriate authorities.

# 7. Disclosure and Barring Service

7.1 Brundall Memorial Hall complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information Policy.

7.2 Disclosure information is always kept separately from an applicant’s personnel file in secure storage with access limited to those who are entitled to see it as part of their duties. It is a criminal offence to pass this information to anyone who is not entitled to receive it.

7.3 Documents will be kept for six months and then destroyed by secure means. Photocopies will not be kept. However, Brundall Memorial Hall may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.

7.4 Any disclosure without consent of what could reasonable be construed as private information unrelated to the service provided by Brundall Memorial Hall is a misuse and an abuse of privacy and may subject an employee to disciplinary action.

# 8. Data Protection Act

8.1 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.
* Adequate, relevant and not excessive
* Accurate and up to date
* Not kept longer than necessary
* Processed in accordance with the Act.
* Kept secure and protected.
* Not transferred out of Europe

8.2 Information held on the database which an organisation does not wish to share is marked as private and must not be revealed to anyone outside Brundall Memorial Hall.

# 9. Breach of confidentiality

9.1 Employees who are dissatisfied with the conduct or actions of other staff or Brundall Memorial Hall should raise this with their Line Manager using the Complaints procedure, if necessary, and not discuss their dissatisfaction outside Brundall Memorial Hall.

9.2 Staff accessing unauthorised files or breaching confidentiality may face disciplinary action. Ex-employees breaching confidentiality may also face legal action.

# 10. Whistleblowing

10.1 Where a member of staff has concerns about the use of Brundall Memorial Hall funds, he or she may refer directly to the Chair or Treasurer outside the usual grievance procedure.

10.2 Employees who are concerned about wrongdoings within the organisation are encouraged to raise their concerns internally with their Line Manager or Chair of Trustee’s. The Whistleblowers Protection Act (2013) allows external disclosure (for instance to police or media) as long as there are good reasons (which are detailed by the Act) for so doing.

# 11. Confidentiality and Retiring or Leaving Staff members

11.1 Brundall Memorial Hall ask staff to respect the rights of other organisations to conceal their contact details from other organisations and the general public. Brundall Memorial Hall ask that when sending a large group email that email addresses are concealed from view by using the “BCC” option when sending emails. Further to this Brundall Memorial Hall asks that leaving or retiring members of staff do not retain work email addresses for their own personal use after they have left.

11.2 At their time as an employee of Brundall Memorial Hall staff will have access to information stored on the database. Brundall Memorial Hall therefore requires that staff adhere to the Confidentiality policy and Data protection policy and attempt to take no information that is the intellectual property of individual members, and Brundall Memorial Hall, with them when they either retire or leave. Any breaches of confidentiality will be followed up accordingly.

# Associated policies:

* Complaints Procedure
* Disciplinary Procedure
* Grievance Procedure
* Data Protection
* Exit Interview