



## **CONFIDENTIALITY POLICY**

Community By Nature (CBN) respects all people's right to confidentiality. It is important that children, young people, learners and other service users that access our services be confident that their information will be respected.

Employees must not use, divulge or communicate to any individual or organisation (except in the proper course of their duties during their employment by CBN) any confidential information about the organisation relating to the business, organisation, accounts, analysis or other affairs of CBN which they may have received or obtained while working for the organisation. Guidelines outlined in this policy must be followed in conjunction with CBN's privacy policies.

Employees/volunteers must not without prior written consent of CBN permit any confidential information:

1. To be disclosed, whether directly or indirectly, to any third party, except to those authorised by CBN to know or as required by law; or
2. To be copied or reproduced in any form or to be commercially exploited in any way; or
3. To be used for their own purposes or for any purposes other than those of the organisation or to be used or published by any other person; or
4. To pass outside their control.

This restriction will continue to apply after the termination of the employee's employment but will cease to apply to any information which may come into the public domain through disclosure by the CBN.

There are however exceptional circumstances in which confidentiality cannot be kept. It is important that children, young people, volunteers and employees have a clear understanding of situations when this might occur. This policy aims to clarify the position.

### **Our duty of confidentiality**

- a) CBN and its employees and volunteers are bound by a duty of confidentiality towards the children and young people, learners and service users with whom they work. CBN employees and volunteers need to know that the breaking of confidentiality is a disciplinary offence.

- b) CBN will take all reasonable practical steps through induction and training of employees and volunteers to prevent any improper revelation of any matter relating to CBN and its work.

CBN will take all reasonable steps to ensure the safe storage of all confidential information relating to employees, volunteers and service users. All records of service users (addresses, progress, personal circumstances/issues etc) must be kept in a locked location or be password protected if stored electronically.

All records relating to staff (addresses, payroll, HR etc) must be kept in a locked location or be password protected if stored electronically. This information must only be accessed by the appropriate members of staff, must be treated with the strictest confidence and not be divulged to any other persons including other staff members. Breaking of confidentiality is a disciplinary offence. When appropriate records must be disposed of by shredding or be a method that protects the identities of those involved.

- c) Service users are entitled to access records about themselves. Any requests from staff or services users to access personal data must be handled by – Kate Jameson – CBNs Data Controller.

In certain situations confidentiality may have to be breached: These circumstances include:

- If a member of staff believes that a service user could cause danger to themselves or to others.
- If a member of staff suspects abuse or has knowledge of abuse
- If a service user gives information which indicates that a crime has been committed
- If disclosure is required by law, for example, by the police
- If a person is felt to lack the mental capacity to make a decision. In such cases staff or volunteers will discuss with a manager and they will only act in the service users best interest.
- If the service user gives information which indicates a possible terrorist threat.

The decision on whether to break confidentiality will be decided on a case by case basis and always in conjunction with the Operations Manager and Safeguarding Lead - Dave Tinsley or the CEO and Data Controller - Kate Jameson. This policy should be read and guidelines acted upon in conjunction with CBNs Safeguarding Policies and Privacy Policies.

Date of Revision: 28 September 2018 (To be reviewed annually)

Author: Kate Jameson CEO

Reviewed by: Dave Tinsley – Operations Manager

Approved by Management Committee –

Signed:  
Jim Brett - Chair

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