

VOLUNTARY ACTION - LEEDS

GUIDELINES ON CONFIDENTIALITY

Definitions

1. Voluntary Action - Leeds recognises the right to privacy of the individual as a basic human right. We accept that personal details about an individual belong to that individual. Accordingly, we undertake to respect the confidentiality of certain information.
2. Confidential information is defined as verbal or written information, which is not meant for public or general knowledge, information which is regarded as personal by clients, members, trustees, staff or volunteers.
3. Confidentiality is based upon a reasoned concern for protecting the interests of the person to whose personal information VA-L has access. Working to confidentiality guidelines means that information may be disclosed only with consent and when necessary, and that discussion and consultation remains within these boundaries. Working in this way protects both the integrity of VA-L itself, and that of individual staff, etc.

Policy and Procedure

1. VA-L has a policy on how personal data is defined, collected, stored and accessed, and this must be followed at all times.
2. VA-L regards it as a duty of paid and unpaid staff and trustees not to reveal to any person or organisation outside VA-L, without the specific consent of the individual(s) involved, any matter, which becomes known to them via their involvement with VA-L.
3. VA-L reserves the right to break confidentiality if it believes that:
 - a. a child is at risk of being harmed
 - b. a person's life or safety is at risk
 - c. if required by statute (e.g. there is a legal obligation to report drug trafficking/money laundering/terrorist activity to the police)

- d. if required under a contractual obligation (e.g. where services are purchased by the local authority, etc, and that contract requires disclosure of certain information)
- e. if required by a court or court order.

In all of the above cases, the General Manager or if unavailable the Chair/Deputy Chair of Trustees must be informed immediately. In other cases where breaking confidentiality may seem appropriate, this must only be done with the knowledge of appropriate managers or trustees, and the person whose confidentiality is to be breached must be informed. It must be recognised that this person may then pursue a complaint about their confidentiality being breached.

- 4. VA-L recognises that trustees, staff and volunteers may become aware of a wide range of information which they may need to share with others internally – for example: discussion of client issues during supervision, discussion of situations to gain experience from colleagues, etc. This kind of information sharing must not be done publicly - i.e. where it may be overheard, or where it may be discussed by a group of people, and the general rule is that no individual or organisation should be named or otherwise identified except during individual supervision sessions if necessary.
- 5. Written records of any session with clients may be taken with the client's permission if the purpose of such records is clearly explained to the client. Only essential information should be recorded, and this should be done without identifying individuals. The records must then be stored/accessed as defined by VA-L's Data Policy.
- 6. Great care should be taken regarding telephone calls and the sending or receiving of faxes which may contain personal information: the staff member/volunteer/trustee involved should endeavour to ensure that no-one else internally is privy to the information, and that definitely no-one external to VA-L may be able to access it. Staff are reminded that email communications may not be private – please see VA-L's Policy on Internet/Email Use.
- 7. Regarding internal information, trustees, staff and volunteers are reminded that confidentiality extends to all issues relating to the internal affairs of VA-L: there may be times when confidential

organisational information is accessed – e.g. on finance, recruitment, planning, etc; such information should not be disclosed outside the organisation unless authorisation is given to do so (notwithstanding rights under the Public Interest Disclosure Act – please see VA-L’s Grievance Policy).

8. Statistical information may be used for monitoring and funding purposes, but must not be attributable to an individual. Where, for publicity purposes, VA-L wishes to use a quotation from a client, etc, the individual’s express permission must be sought before this can be used.
9. In any cases where there is uncertainty about issues around confidentiality, advice should be sought from line managers and – where appropriate – trades unions.

Relevant VA-L Policies/Documents:-

1. Terms & Conditions of Employment
2. Grievance Procedure
3. Disciplinary Procedure (including VA-L’s Rules)
4. Data Policy
5. Internet & Email Code of Practice
6. Trustee Conflict of Interest Policy
7. Staff Conflict of Interest Rules

This document was formally adopted as VA-L policy by the Trustee Board of Voluntary Action – Leeds on 11 February 2003.