

Age UK Hounslow

### Confidentiality Policy

#### INTRODUCTION

This policy has been drawn up to meet the needs of Age UK Hounslow, its Board of Trustees, Staff, Volunteers and Service Users.

The policy exists to ensure that basic standards are adhered to by all those parties mentioned above and which are incorporated and maintained as part of normal working practices.

This Policy is designed to cover all aspects of confidentiality pertaining to the work of Age UK Hounslow and its associates. All Board of Trustee members, Staff and Volunteers will be made aware of this policy when first joining the organisation and will be asked to sign an undertaking indicating they have read and understood the policy and will abide by it.

#### 1. PERSONAL DATA

1.1 Each staff member/volunteer working for Age UK Hounslow will have a personal file containing confidential information. Personal records should be kept in a locked cabinet. Access to these files will be by the Chief Executive Officer and in the case of voluntary workers by the Chief Executive Officer (or his/her nominee) and where appropriate, Trustees in the case of staff members. Should information contained in these files come to light by means of accident or any other way, to anyone other than the appropriate supervisor or employee/volunteer themselves, then such information should not be divulged to a colleague, volunteer or other third party within or outside the organisation.

1.2 Each individual staff member/volunteer will have the choice as to whether they wish their home telephone number and/or address, or any other personal details, to be divulged to any other person either inside or outside the organisation, other than to be kept as a record for personnel purposes within their personal file. If a staff member/volunteer has not specified whether or not they would wish such information to be given to a third party, then such information should not be given without prior consultation with the employee/volunteer concerned.

1.3 Personal details pertaining to Board members may also be kept on record within the organisation. Specifically, a list of Board members must be available for public inspection. This list would include individuals' names and addresses, but not telephone numbers. Any other personal information, other than that mentioned, pertaining to Board members shall not be divulged either within or outside the organisation unless in full agreement with the Trustee, other than with that individual's consent and as advised by the Chief Executive Officer.

#### 2. SERVICE USERS

2.1 Age UK Hounslow offers a number of confidential services to users and it is therefore implicit that such confidentiality is respected. Therefore, clients' details should not be disclosed or discussed with anyone outside the organisation in such a manner that it is possible to identify the client, unless the client agrees to such information being passed on to

a third party. An enquirer's approach is to the organisation rather than to an individual employee or volunteer. Therefore if the needs of a particular client are best served by discussion with another staff member/volunteer, then such disclosure does not breach the policy. If, however, a client specifically requests that information is not divulged to a third party of any kind, then this wish should normally be respected.

2.2 The situation often arises when an enquiry is made on behalf of someone else (third party), e.g. by a relative, friend or neighbour, and in these circumstances it is allowed to give general advice or information to the enquirer. However, should a specific request be made for help or assistance that would necessitate Age UK Hounslow referring the potential client to a third party, or Age UK Hounslow visiting that person, then a request must be made by the persons themselves for such assistance either verbally or in writing. If the individual concerned is not in a fit state, mentally or physically, to give such permission, it should be sought by their carer, next of kin or advocate, as may be appropriate in the circumstances. If a staff member/volunteer is in any doubt whatsoever about the validity of the third party enquiry, they should consult with the Chief Executive Officer, or member of staff with authority to deputise.

2.3 Records and files relating to service users are available to staff and volunteers who have undergone selection/training and who have signed the statement on confidentiality. Care must be taken at all times to ensure that records/files are handled with discretion and are not left around on desks or in public view. The same principles should be applied with confidential information in memos, letters, briefing papers and minutes of meetings. When client records are not in use, and when the office is unmanned, the records should be kept in locked cabinets.

2.4 The same principles of confidentiality shall apply to all clients, whether they are being dealt with in person, by correspondence or by telephone.

2.5 If it is necessary for staff/volunteers to remove confidential information regarding clients from the premises, e.g. on home visits or to attend meetings, due care and attention must be exercised to ensure that such material is kept safely in their possession at all times. Particular care should be taken with personal diaries which may contain details of service users such as names and addresses. No such material/information should be left unattended.

### **3. ORGANISATIONAL INFORMATION**

3.1 Board Members, Staff and Volunteers may receive confidential or sensitive information regarding to Age UK Hounslow, Groups or other organisations. The same standards of confidentiality should be adhered to as is the case with clients' information been dealt with at Age UK Hounslow. Such information should only be divulged to a colleague or third party within the organisation, and never to anyone outside without consultation with the Chief Executive Officer.

3.2 Confidential information pertaining to any aspect of Age UK Hounslow's work or policies should not normally be sent by fax, however, if it is necessary to do so, the first page should clearly indicate that the material is confidential and who should receive it. Prior

arrangements should be made with the recipient to ensure that confidentiality is not breached. The same principle applies to email.

3.3 Any confidential or sensitive matters pertaining to any aspect of work of Age UK Hounslow, its Board Members, Staff or Volunteers should not in any circumstances be discussed with any third party outside the organisation without prior discussion with the Chief Executive Officer. Nor should such information be discussed with a third party within the organisation without prior consultation with the person it concerns or the Chief Executive Officer, whichever would be the most appropriate, depending on the nature of the information (e.g. personal or organisational).

#### **4. BOARD MEETINGS**

4.1 Board Members shall be expected to comply with the same standards of confidentiality specified in this policy at all general and special meetings of the organisation. Specifically, in respect of any confidential agenda items, Board members will be expected to adhere to the policy and guard against any breaches, either intentional or unintentional.

4.2 Any staff members, volunteers or staff representatives attending such meetings must comply with the standards of confidentiality as set out in this policy and guard against any breaches either intentional or unintentional.

4.3 Any minutes produced as a result of such meetings shall not be divulged to a third party outside of the organisation without prior consultation with the Chief Executive Officer. Any minutes that exist of any confidential agenda items, particularly pertaining to named individuals, should not be disclosed to any person or third party excluded from discussion of such agenda items, either inside or outside the organisation, unless specifically authorised by the Chief Executive Officer or Chair of any such meetings, as may be appropriate.

#### **5. DATA PROTECTION ACT (1998)**

The Data Protection Act gives protection against possible dangers arising from the use and storage of recorded information on computer.

5.1 The use of personal information that is inaccurate, incomplete or irrelevant.

5.2 The possible access to personal information by authorised persons.

5.3 The use of personal information in a context or for a purpose other than that for which the information was collected.

5.4 Age UK Hounslow is registered under the Data Protection Act. If there are any other queries that arise relating to the Act, advice should be sought directly from the Chief Executive Officer.

#### **6. BREACH OF CONFIDENTIALITY**

Any disclosure of confidential information will be undertaken within the established breach of confidentiality consultation procedure. All referrals are made with the knowledge and consent of the client. The only circumstances where a breach of confidentiality will be considered are:

- Where there is a danger to clients or others

- When not to do so would be breaking the law
- When the project discovers that it is advising both parties to a dispute and needs to disclose the fact in order to avoid a conflict of interest

## **7. THE CALDICOTT REVIEW**

The Caldicott review was carried out for the NHS in 1997 and this identified a set of good practice principles and standards which provided a framework for the management of confidential information for all NHS organisations. With the increase in joint working with health and other agencies, there is now a requirement that all Councils Social Services' departments and partners work towards the same framework. All staff are expected to be aware of the following Caldicott principles and apply these when considering how personal information is being used, held or shared:

### **Six Caldicott Principles**

- Justify the purpose for holding personally identifiable information
- Don't use personally identifiable information unless necessary
- Use only the minimum necessary
- Access should be on a strict need to know basis
- Be aware of responsibilities
- Understand and comply with the law

Implementation	All Staff
Circulation	Age UK Hounslow
Date Adopted by Trustees	
Last Review Date	3 <sup>rd</sup> December 2017
Next Review Date	2 <sup>nd</sup> June 2018

### Procedure

1. Written confidential information about the Organisation generally, its staff, volunteers or its service users must never be left open for general view. All confidential information must be kept in a secure area or locked storage, except when actually in use.
2. All confidential files on staff that have left will be kept for five years and then destroyed by shredding. Only brief statistical information will be kept in the future.
3. Access to information contained within the computer system must be controlled by a series of passwords. Each individual is responsible for their own password which must never be disclosed to anyone else, except for the Chief Executive Officer who must be given the password in a sealed envelope to retain in the event that emergency access to records are required. The Data Protection Act 1998 must apply to any data kept on a computer.
4. No information about employees must be given to outside agencies without the employee's consent, except where a request for a reference is received, and the employee knows the implications of the information to be sent, or when an order is made by the court, or where we are compelled by law to do so.
5. A request for the address or telephone number of a current or former employee must never be given to a third party without that individual's consent. Take the telephone caller's details and confirm that you will pass these to the individual concerned, it will then be their responsibility to ring back and check the authenticity and take relevant action.
6. The Data Protection Act (1998) permits the person for whom a reference is provided to request sight of the content of a reference. The Act does, however, allow the recipients of references to withhold information that reveals the identity of the author of the reference if the author withholds consent to full disclosure of the reference. In the event of the subject of this reference making a request for its release, Age UK Hounslow will attempt to contact you to seek consent for full disclosure. In the absence of consent, your name, address, letter heading and any text directly alluding to your identity will be removed. We cannot, however, guarantee that your identity will not be inferred; if you are concerned about your identity being revealed, you may wish to take steps to minimise information from which inferences about your identity might be drawn.
7. Only the Line Manager of individual staff members of Age UK Hounslow will have access to personal files. On request, staff files must be made available to staff acting on behalf of the Line Manager for supervision purposes or the Chief Executive Officer. If there is a need to vary this rule, the Line Manager and/or Chief Executive Officer must be contacted for permission.
8. Age UK Hounslow operates a yearly professional appraisal of staff and a bi-monthly supervision appraisal. Records of this are kept on personal files. On request, staff files must be made available to staff acting on behalf of the Line Manager for appraisal purposes or the Chief Executive Officer. If there is a need to vary this rule the Line Manager and/or Chief Executive Officer must be contacted for permission.
9. All employment application forms are confidential and any information on the form must not be disclosed or discussed except at an appropriate meeting set up for that purpose. However, unsuccessful applicants have a right to honest information as to why they were not successful.

10. Unsuccessful job application forms will be kept for twelve months and then destroyed by shredding.
11. Financial information stored for service users is sensitive and confidential. It may however that they are needed by the service users themselves, the individual's advisor retains overall responsibility for this, but they cannot be present. There should therefore be written agreement between the Line Manager and the service user as to who has access to this information in the absence of the individual's advisor.
12. A service user is entitled to be informed by their advisor as to who has access to information on them. It should be made clear to service users that staff will only share information on a service user on a "need to know" basis, and only in the best interest of the service user.
13. A staff member has the right to have information on who has obtained confidential information about them. Except as outlined in (8) and (9) above this would normally only be in the event of a police search.
14. Breaches of confidentiality will be subject to disciplinary investigation, except where conditions meet the criteria of acceptable circumstances to breach confidentiality, as stated in this policy (Section 6).
15. All post to service users marked private and confidential or personal and confidential should be directed to the individual concerned for their attention without it first being opened. If the correspondence is for a service user who is deemed to need support to be able to understand or action the correspondence, then how it is dealt with must be the responsibility of the individual's advisor.

**Age UK Hounslow**

**CONFIDENTIALITY POLICY**

**Declaration of Intent**

I, the undersigned, have read the Age UK Hounslow Confidentiality Policy.  
I understand its context and intent and agree to abide by it at all times.

Name: .....

Position: .....  
(e.g. staff member, volunteer, board member)

Address: .....  
.....  
.....  
.....

Signature: .....

Date: .....

Approved by Trustee: .....

Name: .....

Date: .....