



**South Wye Community Association
Belmont Community Centre
Eastholme Avenue, Belmont, Hereford HR2 7UQ
Registered Charity No: 700471**

Confidentiality Policy

Objective

The objective of the Policy is to set guidelines which reduce the risk of a security breach, fraud and information theft caused by documents being left unattended and unauthorised access to the system by South Wye Community Association (SWCA) at its premises known as Belmont Community Centre (BCC)

Background

The main reasons we have introduced the policy are:

- It reduces the threat of a security breach and information theft as confidential information gets locked away.
- It ensures compliance with data protection regulations – keeping personal data secure.
- It reduces the chance of identity theft.
- It shows that SWCA is taking corporate responsibility for the personal data in its care.

In this document 'colleagues' are employees, volunteers, trustees of Belmont Community Centre

1. General principles

- 1.1. SWCA recognises that BCC colleagues 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 colleagues may have to exercise common sense and discretion in identifying whether the individuals or groups expect the centre to keep the information confidential. This policy aims to give guidance; but if in doubt, seek advice from the trustees.
- 1.2. Information received by BCC as part of the services it provides, will be considered to be information for BCC to share with colleagues and use to deliver its aims and objectives.
- 1.3. Colleagues are able to share information with their Line Manager in order to discuss Issues and seek advice.

- 1.4. Colleagues should inform groups, organisations or individuals why they are requesting information and explain the purpose of storing and using this information. Colleagues **must** ask permission to keep and use this information, particularly relating to the database of members.
- 1.5. Colleagues should avoid exchanging personal information or comments (gossip) about individuals with whom they have a professional relationship.
- 1.6. It is not appropriate to discuss a person's sexuality, for example 'outing' a gay person, without their prior consent. Please refer to the Equality and Diversity Policy for further guidance.
- 1.7. Colleagues should avoid talking about organisations or individuals in social settings, or in any environment where they may be overheard, for example reception and corridors.
- 1.8. Colleagues will 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.
- 1.9. There may be circumstances where colleagues want to discuss difficult situations with each other to gain a wider perspective on how to approach a problem.
- 1.10. If colleagues receive information from individuals outside BCC regarding the conduct of a colleague or group, then this should be dealt with sensitively. The appropriate colleague should tell the individual about the Complaint Procedure and advise them accordingly.
- 1.11. If employees are dissatisfied with the conduct of a colleague, and have sensitive information that could be evidenced through investigation, they should discuss it with the appropriate line manager under the Whistle Blowing Procedure. Any allegation, which is found to be malicious, or ill-founded, will be dealt with by BCC action under the Disciplinary Procedure.
- 1.12. Where BCC has a legal duty to disclose information, the centre will inform the person involved that the disclosure has or will be made.

2. Why information is held?

- 2.1. Most information held by BCC relates to voluntary and community organisations, self-help groups, volunteers, students, employees, trustees or services that support or fund them.
- 2.2. BCC keeps information for colleagues to understand the history and activities of organisations in order to deliver the most appropriate services.
- 2.3. BCC has a role in putting people in touch with voluntary organisations and keeps contact details that are passed on to appropriate enquirers, except where the group or organisation expressly requests that the details remain confidential.
- 2.4. BCC gives information about volunteers to known groups or statutory agencies which request volunteers, but does not disclose these details to anyone else.
- 2.5. BCC will give references for current and past employees, students, volunteers and people participating in support programmes for unemployed people to organisations, providing the individual concerned has given their consent Belmont Community Centre will give information about students to the training organisation and college involved.
- 2.6. BCC keeps monitoring information to monitor its Equal Opportunities Policy and also for reporting back to funders.

3. Access to information

- 3.1. BCC will share some information within the organisation and may pass it to colleagues so they can provide service users with the best quality service.
- 3.2. If a colleague has some sensitive information, for example information about disputes or legal issues, they will only share it with their line manager. Colleagues should clearly label such information as 'Confidential' and should state the names of the colleagues entitled to access the information and the name of the individual or group who may request access to the information.
- 3.3. Colleagues should not withhold information from their line manager unless it is purely personal to them and not business related. If an individual gives information to a colleague and clearly stipulates it is confidential, then this will not be shared with line managers, unless there is a concern and the individual informed. Please see point 5.2.
- 3.4. Users may see BCC records which relate to them or their organisation. They must request this by writing to the Chair of the trustees/committee giving 14 days' notice. The letter must be signed by the individual, or in the case of an organisation's records, by the Chair or Executive Officer. The Co-Ordinator/Manager of BCC will only make sensitive information, as outlined in point 3.2, available to the person or organisation named on the file.
- 3.5. Personnel records can be accessed by giving 14 days' notice in writing to the Centre Co-ordinator / Manager (for staff) and the Volunteer Co-ordinator (for volunteers).
- 3.6. When colleagues are photocopying or working on confidential documents, they must ensure that people passing by do not see the documents. This also applies to information on computer screens. Colleagues should check that they do not leave original documents on the photocopier and take care when printing confidential documents on printers that are not close by.

4. Storing information

- 4.1. General, non-confidential, information about organisations is kept in unlocked filing cabinets that are available to all BCC colleagues.
- 4.2. Colleagues taking records to meetings outside of BCC offices are responsible for ensuring they remain confidential and for keeping them as secure as possible. (If these are in electronic form then the device must be password protected)
- 4.3. Colleagues who are directly responsible for information about volunteers, students and other individuals must ensure that it is kept in a filing cabinet. They should mark files or filing cabinet drawers that contain confidential information as 'Confidential' and keep them locked. They should make their line manager aware of this and tell them where they keep the keys.
- 4.4. The Centre Co-ordinator/Manager will keep employees' personnel information and the Volunteer Development Co-ordinator will keep volunteer records in lockable filing cabinets.
- 4.5. The Centre Co-ordinator/Manager will keep recruitment information, for example completed application forms, advert and job description, for a period of two years from the date of the advert. After this date BCC will keep monitoring information on equal opportunities statistics for a further two years.

- 4.6. Colleagues must protect confidential Information held on computer with a password. They should give details of the password to the Centre Co-ordinator/Manager, who will keep them secure.

No member of staff, including volunteers or otherwise at the community centre, is permitted to download, print off or copy onto any device any files or documents stored on the centres computer system without good cause and the prior approval from a trustee in writing. The Chair of Trustees decision is final. At no time will any member of staff, as above, remotely access the centres computer system and files. Any access is only permitted, where appropriate and whilst at the centre during the office opening hours and for the business of BCC.

- 4.7. In an emergency situation, the Chair or the Trustees may authorise access to files by other people, but this permission must be given in writing.
- 4.8. Ensure confidential documentation or personal data is shredded before putting in the recycling bins.

5. Duty to disclose information

- 5.1. BCC has a legal duty to disclose some information including:
 - 5.1.1. Child abuse will be reported to the Social Services Department.
 - 5.1.2. Drug trafficking, money laundering and acts of terrorism or treason will be disclosed to the police.
- 5.2. In addition, colleagues believing an illegal act have taken place, or that a user is at risk of harming themselves or others, must report this to the Chair of the Trustees who will report it to the appropriate authorities.
- 5.3. BCC should inform the users involved of this disclosure.

6. Disclosures

- 6.1. BCC complies fully with the CRB Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information.
- 6.2. BCC will request pre-employment Criminal Records Bureau checks for new employees and volunteers whose posts involve contact with vulnerable children or adults, as specified by the Disclosure Guidance.
- 6.3. BCC will clearly state the need for, and level of, Disclosure on the recruitment advert.
- 6.4. The Chair of the Trustees and Centre Co-ordinator/Manager will follow the procedure for obtaining Disclosure for the successful applicant.
- 6.5. The Centre Co-ordinator/Manager will keep the return on file for six months. After this date, they will keep the top section to prove the information was received and destroy the bottom section by secure means. BCC will not keep photocopies. However, BCC 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.

- 6.6. Only the Chair of the committee will discuss information provided through the Disclosure. They will use BCC Volunteer Policy as guidance.
- 6.7. The Centre Co-ordinator/Manager will keep Disclosure information separately from an applicant's personnel file in secure storage. BCC will limit access 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. Data Protection Act

7.1. Any information that South Wye Community Association holds or stores at Belmont Community Centre about individuals, whether on the computer system or on paper, falls within the scope of the Data Protection Act and BCC must comply with the data protection principles. These principles state 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 and,
- Not transferred out of Europe.

7.2. BCC will review all the information it holds on a two-yearly basis to ensure the information requested complies with the statements in point 5.1. This will be co-ordinated by the Information Officer and, in respect of personnel information the Chair of the Trustee.

8. Breach of confidentiality


8.1. Colleagues who are dissatisfied with the conduct or actions of other colleagues at BCC must raise this first with their line manager using the grievance procedure if necessary. They should not discuss their dissatisfaction outside BCC.

8.2. Colleagues accessing unauthorised files or breaching confidentiality may face disciplinary action. Ex-employees breaching confidentiality may be subject to legal action.

8.3. If a colleague opens a computer or paper file which they then realise is confidential. They must tell the person who 'owns' the file. They must not discuss the contents of the file with anybody else. However, colleagues must do everything reasonable to protect their files.

9. Whistle blowing

9.1. Any colleague who may have concerns about the use of BCC funds, or any practice by any employee must comply with the requirements of the Whistle Blowing Procedure.

Signed: 

Name: Adrian Bridges

Position: Chairman & Trustee Of South Wye Community Association

Date agreed by (Board of Trustees) 23rd May 2024

Review date: 05th May 2024