

Tibbs Dementia Foundation

Confidentiality Policy - Last reviewed June 2016

Tibbs Dementia Foundation recognises that employees, volunteers, trustees and students 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 information is expected to be confidential.

This policy aims to give guidance but if in doubt, seek advice from your line manager or the Chief Executive.

This policy should be read in conjunction with the Equality and Diversity Policy.

Principles

Colleagues are able to share information with their line manager in order to discuss issues and seek advice.

Colleagues should avoid exchanging personal information or comments about the individuals and organisations they meet during the course of their work or activities. Tibbs Dementia Foundation is legally liable for all adverse comments made through any medium (including e-mail) about any individual or organisation.

Colleagues should avoid talking about organisations or individuals in social settings.

Colleagues will not disclose to anyone, other than their line manager, any information considered sensitive, personal, financial or private without the knowledge and consent of the individual, or, in the case of an organisation, an officer.

There may be circumstances where colleagues would want to discuss difficult situations with each other to gain a wider perspective on how to approach a problem. The organisation's consent must be sought before discussing the situation, unless the colleague is convinced beyond doubt that the organisation would not object to this. Alternatively, a discussion may take place with names or identifying information remaining confidential.

Why information is held

Most information held by Tibbs Dementia Foundation relates to voluntary and community organisations, volunteers, clients, employees, trustees or services which support or fund them. Information is kept to enable colleagues to understand the history and activities of organisations in order to deliver the most appropriate services.

Information is held on clients to ensure their safety and wellbeing whilst attending services provided by Tibbs Dementia Foundation and so they can be contacted about other services of the Tibbs Dementia Foundation. This information is stored securely and used only by those with a legitimate need to have access and will not be passed on to third parties.

Personal information will only be held with the consent of the client or service user.

Tibbs Dementia Foundation has a role in putting people in touch with voluntary and community organisations and keeps contact details of these organisations which are passed on to clients, client details will not be shared except where the individual expressly requests this.

Information about volunteers is not shared with groups or statutory agencies who might request volunteers, or to anyone else.

Information about ethnicity, disability and gender of users is kept for the purposes of monitoring our Equal Opportunities Policy and also for reporting back to funders.

Access to information

Information is confidential to Tibbs Dementia Foundation as an organisation and may be passed to colleagues, managers or trustees to ensure the best quality service for users.

Where information is sensitive (e.g. it involves disputes or legal issues) it will be confidential to the member of staff dealing with the case, their line manager and/or a member of the Board of Trustees. Such information should be clearly labelled '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.

Users may have sight of records held in their name or that of their organisation. The request must be in writing to the Chief Executive giving 14 days' notice and be signed by the individual, or in the case of an organisation's records, by the Chair or Executive Member. Sensitive information will only be made available to the person or organisation named on the file. Staff may have sight of their personnel records by giving 7 days' notice in writing to the Chief Executive.

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

Storing information

General non-confidential information about organisations is kept in unlocked filing cabinets with open access to Tibbs Dementia Foundation colleagues.

Information about volunteers, and clients will be kept in filing cabinets by the colleague directly responsible. These colleagues must ensure managers know how to gain access.

If information is taken to projects it will be stored in a lockable briefcase and treated as sensitive.

Any information kept on a computer must be password protected.

Personnel information will be kept in locked filing cabinets by the Chief Executive and be accessible to the Senior Management Team. Files or filing cabinet drawers bearing confidential information should be labelled 'Confidential'. In an emergency situation, the Chief Officer may authorise access to files by other people.

Duty to disclose information

There is a legal duty to disclose some information, including:

Incidents that may trigger a SoVA, abuse and or neglect of a vulnerable adult. Incidents must be reported to the line manager or chief executive officer immediately.

Child abuse will be reported to the Social Services Department.

Drug-trafficking, money-laundering, acts of terrorism or treason will be disclosed to the police.

In addition, colleagues believing an illegal act has taken place, or that a user is at risk of harming themselves or others, must report this to the Chief Executive who will report it to the appropriate authorities.

Where there is a legal duty on Tibbs Dementia Foundation to disclose information, the person to whom the confidentiality is owed will be informed that disclosure has been or will be made.

Disclosures

Tibbs Dementia Foundation complies with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information.

Disclosure information is 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.

Documents will be kept for a year and then destroyed by secure means. Photocopies will not be kept. However, Tibbs Dementia Foundation 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.

Data Protection Act

Information about individuals, whether on computer or on paper, which falls within the scope of the Data Protection Act 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.

Breach of confidentiality

Employees and volunteers who are dissatisfied with the conduct or actions of other colleagues or volunteers or the Tibbs Dementia Foundation should raise this with their manager using the grievance procedure, if necessary, and not discuss their dissatisfaction outside the organisation. Colleagues accessing unauthorised files or breaching confidentiality may face disciplinary action.

Ex-employees breaching confidentiality may face legal action.

Reviewed 2/6/2015
Sarah Russell

Reviewed by the Board of Trustees, Tibbs Dementia Foundation: 14/6/2016