

CONFIDENTIALITY POLICY

Burning Nights CRPS Support, hereinafter referred to as 'the Organisation', is committed to providing a confidential service to its users. No information given to the Organisation will be shared with any other organisation or individual without the user's expressed permission or there is a fear the user is causing danger to themselves.

For the purpose of this policy, confidentiality relates to the transmission of personal, sensitive or identifiable information about individuals or organisations (confidential information), which comes into the possession of the Organisation through its work.

The Organisation holds personal data about its staff, volunteers, users, members etc. which will only be used for the purposes for which it was gathered and will not be disclosed to anyone outside of the organisation without prior permission or there is a fear the user is causing danger to themselves.

All personal data will be dealt with sensitively and in the strictest confidence internally and externally.

1. Purpose

The purpose of the Confidentiality Policy is to ensure that all staff, members, volunteers and users understand the Organisations requirements in relation to the disclosure of personal data and confidential information.

2. Principles

Burning Nights CRPS Support recognises that employees, volunteers and trustees 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 named contact.

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

2.2 Colleagues should avoid exchanging personal information or comments (gossip) about individuals with whom they have a professional relationship.

2.3 It is not appropriate to discuss a person's sexuality (i.e. 'outing' a gay person) without their prior consent.

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

2.5 Information given to staff members or volunteers acting on behalf of Burning Nights CRPS Support is considered to be given to Burning Nights CRPS Support as an agency rather than to the individual staff member or volunteer. In order to give the best possible service to users of Burning



Nights CRPS Support's services, it is sometimes desirable to share information with other colleagues in the organisation.

2.6 Constructive liaison with other agencies is sometimes essential if individuals and groups are to be offered an effective service by Burning Nights CRPS Support. However, confidential matters must not be discussed outside of Burning Nights CRPS Support without the prior permission of the individual or organisation.

2.7 Where there is a legal duty on Burning Nights CRPS Support to disclose information, the person to whom the confidentiality is owed will be informed that disclosure has or will be made.

2.8 All personal paper-based and electronic data must be stored in accordance with GDPR 2018 must be secured against unauthorised access, accidental disclosure, loss or destruction.

2.9 All personal paper-based and electronic data must only be accessible to those individuals authorised to have access.

3. Why Information Is Held

3.1 Most information held by Burning Nights CRPS Support relates to voluntary and community organisations, self-help groups, volunteers, employees, trustees or services which support or fund them. Information may be kept to enable Burning Nights CRPS Support to understand the history and activities of organisations in order to deliver the most appropriate services.

3.2 Burning Nights CRPS Support has a role in supporting patients, their families, friends and carers which may include putting service users in touch with voluntary and community organisations and keep contact details which are passed on to any enquirer, except where the group or organisation expressly requests that the details remain confidential.

3.3 Information about ethnicity and disability of users is only kept for the purposes of monitoring our equal opportunities policy and also for reporting back to funders.

4. Statistical Recording

4.1 The Organisation is committed to effective statistical recording of the use of its services in order to monitor usage and performance.

4.2 All statistical records given to third parties, such as to support funding applications or monitoring reports for the local authority, shall be produced in anonymous form, so individuals cannot be recognised.

5. Records & Storing Information

5.1 All physical records are kept in folders inside a locked room. All information relating to service users will be stored in locked drawers. This includes notebooks, copies of correspondence and any other sources of information.



5.2 All records kept at home must not be taken out of the office unless it's for the use of Burning Nights CRPS Support, for example names of attendees for support groups.

5.3 All digital records and notes will be stored on the Charity's database and will be password protected with restricted access.

5.4 Burning Nights CRPS Support keeps non-confidential information using paper files and computers. Confidential information is maintained with an appropriate level of security, in accordance with the Data Protection Act, GDPR and this policy, which will adequately protect information about individuals that is held in the systems.

5.5 Information about volunteers and other individuals will be kept by the colleague directly responsible. These colleagues must ensure line managers know how to gain access.

5.6 Employees' personnel information will be kept in filing cabinets and will be accessible to Tom Lowe or to those who are entitled to see it as part of their duties.

5.7 In an emergency situation, Tom Lowe, may authorise access to files by other people.

6. Access to Information

6.1 Information is confidential to Burning Nights CRPS Support as an organisation but may be passed to colleagues, line managers or trustees to ensure the best quality service for users.

6.2 Where information is sensitive, i.e. it involves disputes or legal issues, it will be confidential to the employee dealing with the case and their line manager. 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.

6.3 Colleagues will not withhold information from their line manager unless it is purely personal.

6.4 Users may have sight of Burning Nights CRPS Support's records held in their name or that of their organisation. The request must be in writing to the Tom Lowe (Treasurer & Trustee) giving 14 days' notice and be signed by the individual, or in the case of an organisation's records, by the Chair or Tom Lowe. Sensitive information as outlined in para 3.2 will only be made available to the person or organisation named on the file.

6.5 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.

7. Breaches of Confidentiality

7.1 Employees who are dissatisfied with the conduct or actions of other colleagues or Burning Nights CRPS Support should raise this with their line manager using the grievance procedure, if necessary, and not discuss their dissatisfaction outside of Burning Nights CRPS Support.

7.2 Colleagues accessing unauthorised files or breaching confidentiality will face disciplinary action. Ex-employees breaching confidentiality may face legal action.

7.3 The Organisation recognises that occasions may arise where individual workers/volunteers feel they need to breach confidentiality. Confidential or sensitive information relating to an individual

may be divulged where there is risk of danger to the individual, a volunteer or employee, or the public at large, or where it is against the law to withhold it. In these circumstances, information may be divulged to external agencies, e.g. police or social services on a need to know basis.

7.4 Where a worker/volunteer feels confidentiality should be breached the following steps will be taken:

7.4.1 The worker/volunteer should raise the matter immediately with the founder and Chair of Trustees Mrs Victoria Abbott-Fleming.

7.4.2 The worker/volunteer must discuss with Mrs Victoria Abbott-Fleming the issues involved in the case and explain why they feel confidentiality should be breached and what would be achieved by breaching confidentiality. Mrs Victoria Abbott-Fleming should take a written note of this discussion.

7.4.3 Mrs Victoria Abbott-Fleming is responsible for discussing with the worker/volunteer what options are available in each set of circumstances.

7.4.4 Mrs Victoria Abbott-Fleming is responsible for making a decision on whether confidentiality should be breached. If Mrs Victoria Abbott-Fleming decides that confidentiality is to be breached then they should take the following steps:

- Mrs Victoria Abbott-Fleming should contact Mr Tom Lowe in the first instance. She should brief Mr Lowe on the full facts of the case, ensuring they do not breach confidentiality in doing so. Mrs Victoria Abbott-Fleming and Mr Tom Lowe must both agree to break confidentiality.
- If both agree to breach confidentiality, a full written report on the case should be made and any action agreed undertaken. Mrs Victoria Abbott Fleming is responsible for ensuring all activities are actioned.
- If Mr Lowe does not agree to breach confidentiality, then this is the final decision of Burning Nights CRPS Support. Their reasons must be documented and past to the member who requested the breach. No further action must be taken by all parties.

8. Duty to Disclose Information

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

8.2 Child abuse will be reported to the Children, Schools and Families Department.

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

8.4 In addition, a colleague 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 Officer who will report it to the appropriate authorities.

8.5 Users should be informed of this disclosure.

9. Disclosures

9.1 Burning Nights CRPS Support complies fully with the CRB Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information.

9.2 Disclosure information is always 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.

9.3 Documents will be kept for a year and then destroyed by secure means. Photocopies will not be kept. However, Burning Nights CRPS Support 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.

10. Legislative Framework

The Organisation will monitor this policy to ensure it meets statutory and legal requirements including the GDPR 2018, Children's Act, Rehabilitation of Offenders Act and Prevention of Terrorism Act.

11. Ensuring the Effectiveness of the Policy

All trustees and volunteers will receive a copy of the confidentiality policy. Existing and new workers will be introduced to the confidentiality policy via email. All members are expected to read the confidentiality policy and sign the confidentiality form. The policy will be reviewed annually and amendments will be proposed and agreed by Mrs Victoria Abbott Fleming and Mr Tom Lowe.

12. Non-Adherence

Breaches of this policy will be dealt with under the Grievance and/or Disciplinary procedures as appropriate.

13. Whistleblowing

Where the finance officer has concerns about the use of Burning Nights CRPS Support funds, he or she may refer directly to the Tom Lowe outside the usual grievance procedure. Please refer to the Whistleblowing Policy for more information.

14. Confidentiality DOs and DON'Ts

DOs

- Do safeguard the confidentiality of all person-identifiable or confidential information that you come into contact with. This is a statutory obligation on everyone working on or volunteering for Burning Nights CRPS Support.
- Do keep all portable records containing person-identifiable or confidential information in recognised filing and storage places that are locked at times when access is not directly controlled or supervised.
- Do ensure that you cannot be overheard when discussing confidential matters in person with another volunteer or trustee OR ensure that your emails/messages cannot be read when discussing confidential matters.
- Do challenge and verify where necessary the identity of any person who is making a request for person-identifiable or confidential information and ensure they have a need to know.
- Do share only the minimum information necessary.
- Do transfer person-identifiable or confidential information when necessary, i.e. use a Burning Nights email address rather than a personal one.
- Do seek advice with a trustee or with Mrs Victoria Abbott-Fleming if you need to share patient/user/member/person-identifiable information without the consent of the patient/user/member/person-identifiable person's consent, and record the decision and any action taken.
- Do report any actual or suspected breaches of confidentiality.
- Do participate in any induction, training and awareness raising sessions on confidentiality issues.

DON'Ts

- Don't share passwords or leave them lying around for others to see.
- Don't share information without the consent of the person to which the information relates, unless there are statutory grounds to do so.
- Don't use person-identifiable information unless absolutely necessary, anonymise the information where possible.
- Don't collect, hold or process more information than you need, and do not keep it for longer than necessary.