



# Confidentiality Policy

October 2018

## 2. CONFIDENTIALITY POLICY

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### SECTION 1 POLICY STATEMENT

This policy applies to all staff and volunteers of Youth Options. The data covered by the confidentiality policy includes:

- Information about the organisation, for example, its plans or finances
- Information about other organisations
- Information about individuals, for example, clients, volunteers and staff whether recorded electronically or in paper form

All staff, volunteers and others who work at Youth Options must respect the need for confidentiality of information held about anyone who comes into contact with the charity, and about any charity business. This is expected to continue even when contact has ceased with this person, and when the volunteer or staff member no longer works for Youth Options.

This policy should be read in conjunction with the Youth Options' Data Protection Policy, and Safeguarding and Child Protection Policy.

## **SECTION 2**

### **POLICY PROCEDURES**

#### **Information about individuals**

- Youth Options is committed to ensuring confidential services to all individuals. The confidentiality is between the individual and the organisation, not the members of staff delivering a particular service.
- Confidential information will not be sought from a client unless expressly in the interests of that client, i.e. to enable a better service delivery.
- Information will only be passed to another agency or to other individuals outside of the charity with the consent of the client, where possible this will be with written consent. If a member of staff or volunteer intends to get information from another agency to help the client or to refer them to another agency then this must be explained to the client and their permission given.
- Where it is known that information will be shared with a third party, an 'Information Sharing Agreement' must be in place, to ensure all parties concerned are aware of their responsibilities, with regards to Data Protection and Confidentiality.
- No personal information about staff, volunteers or clients will be given to any third party without the consent of the client. Information will only be divulged on a "need to know" basis.
- Information will be treated in confidence and will not be divulged to anyone outside the organisation except where extenuating circumstances exist (see below). However, in order that we can provide the best possible help to our clients it may be necessary to share information with a manager or colleagues within Youth Options.
- In no circumstances should details of a client be discussed by anyone outside of the organisation or in an open plan area in such a manner that it is possible to identify the client.
- Staff and volunteers should take due care and attention when speaking to clients and using the telephone or e-mail. No client should be able to hear a conversation or personal details of another service user.

#### **Use of client information for publicity, reporting or training purposes**

- Youth Options does need to be able to give information where appropriate about the impact of our services.
- If one of our services has an outcome which would provide useful material for publicity, reporting or training purposes, then wherever possible the permission of the client will be sought before the story is told to anyone else. If permission cannot be

obtained then any details that would enable identification of the client to be made will be changed.

### **Limits to client confidentiality**

- In certain circumstances Youth Options reserves the right to break confidentiality should this be deemed necessary. These circumstances include:
  - If a member of staff believes that a client could cause danger to themselves or to others
  - If a member of staff suspects abuse or has knowledge of abuse
  - If the client gives information which indicates that a crime has been committed
  - If disclosure is required by law, for example, by the police
  - If a person is felt to lack the mental capacity to make a decision; in such cases staff or volunteers will discuss with a manager and they will only act in the client's best interest
  - If the client gives information which indicates a possible terrorist threat
- The decision on whether to break confidentiality will be decided on a case by case basis and always in conjunction with a manager.

### **Access to data**

- This Policy operates on a "need to know" basis and apart from staff and volunteers in the offices of Youth Options; no-one will have access to client or organisational information unless it is relevant to the service or their work.
- All clients have the right to request access to all information stored about them, and have a right to see a copy of Youth Options policies and any personal data held about them, on written request.
- If any party concerned has a sensory or physical impairment, efforts should be made to ensure that all aspects of this policy and exchanges between parties are understood.
- Significant breaches of this policy will be handled under Youth Options' disciplinary procedures. SLT will liaise with the Data Protection Officer to ascertain the level of risk to which individuals have been placed in; due to a data breach and whether this should be reported to the ICO.
- Further details relating to access to data can be found in the Data Protection Policy.

## **Evaluation and Monitoring**

- All staff and volunteers will be given a copy of the policy when they join Youth Options and will sign the confidentiality statement confirming that they will abide by this policy.
- The policy will be reviewed in response to changes in relevant legislation, contractual arrangements, good practice or in response to an identified failing in its effectiveness.