

## CONFIDENTIALITY POLICY

### STATEMENT

Collage Arts is committed to maintain the privacy of all its staff and customers. It expects all staff to handle personal information in a sensitive and professional manner. Staff must not gain access or attempt to gain access to information which they are not authorised to have.

Collage Arts 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. All employees are expected to handle sensitive information in a way which protects organisational safety.

The word 'confidentiality' means different things to different people. Collage Arts recognises that confidential arrangements need to be clearly explained, talked through, and agreed with individual customers. Training in confidentiality will be made available to staff, particularly managers. It will be included on induction programmes.

Collage Arts recognises that the best protection against breaches of confidentiality is to keep the number of staff who have access to sensitive information to a minimum.

Collage Arts also recognises that breaches of confidentiality are more likely to happen when people are worried about what they hear and read. It will provide counselling support to staff to deal with any distressing information they may get in their work.

In ensuring application of this policy Collage Arts expects that

- Staff are able to share information with their line manager in order to discuss issues and seek advice.
- Staff should avoid exchanging personal information or comments (gossip) about individuals with whom they have a professional relationship.
- It is not appropriate to discuss someone's personal information (or their circumstances) without their prior consent.
- Colleagues should avoid talking about organisations or individuals in social settings.
- Information given to staff members or volunteers acting on behalf of Collage Arts is considered to be given to Collage Arts as an agency rather than to the individual staff member or volunteer. In order to give the best possible service to users of Collage Arts services, it is sometimes desirable to share information with other colleagues in the organisation.
- Constructive liaison with other agencies is sometimes essential if individuals and groups are to be offered an effective service by Collage Arts. However, confidential matters must not be discussed outside of Collage Arts without the prior permission of the individual or organisation.
- Where there is a legal duty on Collage Arts to disclose information, the person to whom the confidentiality is owed will be informed that disclosure has or will be made.

- All sensitive information must be kept confidential no matter how it has been received. For example, through formal channels (in a formal report), received informally (through gossip), or discovered by accident. It applies to Collage Arts business, employees and potential employees, customers and individuals who come into contact with Collage Arts.

## **DEFINITION**

Information which can be classified as 'confidential' can broadly be grouped into the following areas:

- Information of a specific and personal nature about customers or employees. If this type of information is used inappropriately it can cause people to face discrimination, harassment, or harmful actions and decisions by others.
- Sensitive organisational information. This may be used to damage Collage Arts, other organisations as well as individuals or Board Members. It may be used to threaten the security of its property and buildings.
- Business information e.g. pricing, quotes etc.

## **WHY INFORMATION IS HELD**

Most information held by Collage Arts relates to voluntary and community organisations, self-help groups, volunteers, employees, trustees or services which support or fund them.

Information may be kept enabling Collage Arts to understand the history and activities of organisations in order to deliver the most appropriate services.

Collage Arts has a role in putting people in touch with voluntary and community organisations and keeps contact details which may be passed on to any enquirer, except where the individual, group or organisation expressly requests that the details remain confidential.

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.

## **ACCESS TO INFORMATION**

Information is confidential to Collage Arts as an organisation but may be passed to colleagues, line managers or trustees to ensure the best quality service for users.

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 labeled '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.

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

Users may have sight of Collage Arts records held in their name or that of their organisation. The request must be in writing to the Executive Director giving 14 days' notice and be signed by the individual, or in the case of an organisation's records, by the Chair or Executive Director. Sensitive information as outlined in para 4.2 will only be made available to the person or organisation named on the file.

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

## STORING INFORMATION

Collage Arts keeps non-confidential information using paper files and computers. Confidential information is maintained with an appropriate level of security, in accordance with the Data Protections Act and this policy, which will adequately protect information about individuals that is held in the systems.

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.

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

In an emergency situation, the Executive Director may authorise access to files by other people.

## DUTY TO DISCLOSE INFORMATION

There is a legal duty to disclose some information including:

- Child abuse will be reported to social care and/or the police.
- Drug trafficking, money laundering, acts of terrorism or treason will be disclosed to the police.

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 Executive Director who will report it to the appropriate authorities.

Users should be informed of this disclosure.

## DISCLOSURES

Collage Arts complies fully with the CRB Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information.

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.

Documents will be kept for a year and then destroyed by secure means. Photocopies will not be kept. However, Collage Arts 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.

## BREACH OF CONFIDENTIALITY

Breaches in confidentiality happen when sensitive information is given to people who have not been authorised to have it. They are most likely to happen when procedures have not been decided, set up or followed. They can also happen when information is passed between teams or organisations, or when information is being stored.

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

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

## WHISTLEBLOWING

Where a member of staff has concerns about the use of Collage Arts funds, he or she may refer directly to the Executive Director outside the usual grievance procedure.

*\* The Designated Person would normally be the most senior paid staff member or nominated Trustee*

This policy is to be read in conjunction with the following policies/documents

- Data Protection Policy
- Privacy Policy
- Safeguarding Policy
- Social Media Policy
- Whistleblowing Policy

**Reviewed March 2020**