

Confidentiality and Data Protection Policy

The Good Neighbours Support Service and Good Neighbours groups recognise that colleagues (employees, volunteers, trustees, secondees 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.

General principles

- Good Neighbours group colleagues are able to share information with members of the Committee and the Coordinator in order to discuss issues and seek advice.
- Good Neighbours group colleagues should avoid exchanging personal information or comments about individuals with whom they come into contact.
- Good Neighbours group colleagues will not disclose to anyone, other than their Committee and Coordinator, 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.
- Where there is a legal duty on a Good Neighbours group to disclose information, the person to whom the confidentiality is owed will be informed that disclosure has or will be made.

Why information is held?

- Most information held by the Good Neighbours Support Service and Good Neighbours groups relates to voluntary and community organisations, self-help groups, clients, volunteers, employees, students, seconded staff, trustees or services which support or fund them.
- Information is kept to enable the Good Neighbours Support Service or Good Neighbours groups to understand the history and activities of individuals and organisations in order to deliver the most appropriate services.
- Information about clients is disclosed only to enable the group to carry out its services
- Information about volunteers is not disclosed to anyone else.

Access to information

- Where information is sensitive (ie it involves disputes or legal issues) it will be confidential to the Good Neighbours group dealing with the case. Such information should be clearly marked '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.
- Good Neighbours group colleagues will not withhold information from the Committee or Coordinator unless it is purely personal.
- Clients may have sight of Good Neighbours group records held in their name or that of their organisation. Sensitive information as outlined in paragraph 3.1 will only be made available to the person or organisation named on the file and with the client's or organisation's consent.
- Any Good Neighbours group volunteers or employees may have sight of their personnel records.
- 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

- Information about volunteers, employees and other individuals ie Good Neighbours group clients will be kept secure and out of sight. The Committee and Coordinator must know how to gain access to this information.
- In an emergency situation the Chairperson may authorise access to records held by other people.

Duty to disclose information

- There is a legal duty to disclose some information - for example physical abuse must be reported to the local Adult Services Department
- If Good Neighbours group colleagues believe an illegal act has taken place or that a group's client is at risk of harming themselves or others, they must report this to the Chairperson and/or Safeguarding Representative who will report it to the appropriate authorities.
- Clients must be informed of this disclosure.

DBS Disclosures

- The Good Neighbours Support Service and Good Neighbours groups comply fully with the safeguarding procedure (regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information).

- Disclosure information is always kept separately 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.
- Disclosures will be kept for up to six months and then destroyed by secure means. Photocopies will not be kept. However, Good Neighbours groups 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, falls within the scope of the Data Protection Act and must comply with the principles for data protection. 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
- Kept secure and protected
- Not kept longer than necessary
- Processed in accordance with the Act

There is no need for individual Good Neighbours groups to notify the Data Protection Register

Active consent

The key point is that anyone whose details are held by the group manually or electronically must actively give their consent. The consent needs to identify the purposes for which the data will be processed. This means that any forms filled in by volunteers or clients must include a box to tick or some other way that they give their consent.

Example

I give permission for all the above information to be held by the group manually and electronically. I understand that it will only be used for the purpose for which it was intended.

Breach of confidentiality

Good Neighbours group colleagues who are dissatisfied with the conduct or actions of other colleagues should use the Volunteer Problem Solving procedure if necessary, and not discuss their dissatisfaction outside of the Good Neighbours group.

Good Neighbours group colleagues accessing unauthorised files or breaching confidentiality may face disciplinary action. Ex-employees breaching confidentiality may face legal action.

Freedom of Information Act

Good Neighbours groups do **NOT** fall under the provision of this Act.

For how long should I keep records?

- Financial records should be kept for 6 years.
- Health and safety incident reports should be kept for 3 years.
- Any personal records should be destroyed when no longer needed.
- Disclosures - up to 6 months.