



Email: info@transfigurations.co.uk

Web: www.transfigurations.co.uk

Confidentiality Policy Document

This document was initially created by Carol Steele and Jonathan Price of the
Management Committee on 20th August 2014
**Amended on 24th September 2014 by Carol Steele , Bekki Redshaw and Jonathan Price of the
Management Committee**

This Policy will be reviewed by 1st August 2015

Transfigurations Confidentiality Policy

1. General principles

- Transfigurations recognises 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. This policy aims to give guidance but if in doubt, seek advice from a member of the Management Team.
- Colleagues are able to share information with their line manager in order to discuss issues and seek advice.
- Colleagues will avoid exchanging personal information or comments about individuals with whom they have a professional relationship.
- Talking about the private life of a colleague is to be avoided at all times, unless the colleague in question has instigated the conversation.
- Colleagues will avoid talking about organisations or individuals in social settings.
- Colleagues will not disclose to anyone, other than a member of the Management Team, 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.
- 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.
- Where there is a legal duty on Transfigurations to disclose information, the person to whom the confidentiality is owed will be informed that disclosure has or will be made.

2. Why information is held

- Most information held by Transfigurations relates to individuals, voluntary and community organisations, self-help groups, volunteers, students, employees, trustees or services which support or fund them.
- Information is kept to enable Transfigurations colleagues to understand the history and activities of individuals or organisations in order to deliver the most appropriate services.
- Transfigurations has a role in putting people in touch with voluntary and community organisations and keeps contact details which are passed on to any enquirer, except where the group or organisation expressly requests that the details remain confidential.
- Information about students is given to the training organisation and the college, but to no one else.
- Information about ethnicity and disability of users is kept for the purposes of monitoring our equal opportunities policy and also for reporting back to funders.

3. Access to information

- Information is confidential to Transfigurations as an organisation and may be passed to colleagues, other member of the Management Committee 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 member of the Management Committee dealing with the case. 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.
- Colleagues will not withhold information from a member of the Management Committee unless it is purely personal.
- Users may have sight of Transfigurations records held in their name or that of their organisation. The request must be in writing to the Chairperson giving 14 days' notice and be signed by the individual, or in the case of an organisation's records, by the Chair or Executive Officer. Sensitive information as outlined in paragraph 3.2 will only be made available to the person or organisation named on the file.
- Employees may have sight of their personnel records by giving 14 days' notice in writing to the Chairperson
- When photocopying or working on confidential documents, colleagues must ensure people passing do not see them. This also applies to information on computer screens.

4. Storing information

- General non-confidential information about organisations is kept in unlocked filing cabinets and in computer files with open access to all Transfigurations colleagues.
- Personnel information on employees, volunteers, students and other individuals working within Transfigurations will be kept in lockable filing cabinets by members of the Management Teams and will be accessible to the Chairperson.
- Files or filing cabinet drawers bearing confidential information should be labelled 'confidential'.
- In an emergency situation, the Chairperson may authorise access to files by other people.
- Please see section 10 for details about our Help/Support Line Confidentiality policy

5. Duty to disclose information

- There is a legal duty to disclose some information including:-
- Child abuse will be reported to the Social Services Department (and/or to the Police if deemed appropriate).
- Drug trafficking, money laundering or acts of terrorism 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 others, must report this to the Chairperson who will report it to the appropriate authorities.
- If a service user is suspected of self-harm or suicide ideation, this must be reported to a member of the Management team who will seek to contact the person to see how we can help or signpost them on to a qualified counselling service. We believe that we cannot reveal these details to any 3rd party outside our organisation without the consent of the person concerned. This is in line with the Samaritans of Great Britain's confidentiality policies.
- If the service user is under the age of 18 and is suspected of self-harm or suicide ideation, this must be reported to a member of the Management team who will seek to contact the person to see how we can help or signpost them on to a qualified counselling service. We will also contact the parents or legal guardians of the child/young person about this **unless:-**
 - i. It is the parent and/or legal guardian who is the cause of the child wanting to self harm or have thoughts of suicide. In this instance, besides seeking referral to a child counsellor we would also contact Child Line on their behalf.
- Users should be informed of any disclosure.

6. Disclosures

- Transfigurations complies fully with the CRB Code of practice (E File) 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, Transfigurations 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.

7. 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 data protection principles. These are that personal data must be:-
 - ii. Obtained and processed fairly and lawfully.
 - iii. Held only for specified purposes.
 - iv. Adequate, relevant and not excessive.
 - v. Accurate and up to date.
 - vi. Not kept longer than necessary.
 - vii. Processed in accordance with the Act.
 - viii. Kept secure and protected.
 - ix. Not transferred out of Europe.

8. Breach of confidentiality

- Employees and or service users who are dissatisfied with the conduct or actions of other colleagues or Transfigurations should raise this with their line manager using the grievance procedure, if necessary, and not discuss their dissatisfaction outside Transfigurations.
- Colleagues accessing unauthorised files or breaching confidentiality may face disciplinary action.

9. Whistle blowing

- Where the Finance Worker has concerns about the use of Transfigurations funds, he or she may refer directly to the Chair or Treasurer outside the usual grievance procedure.
- All colleagues hold the right to inform either his or her manager or one of the trustees if they believe that Transfigurations is being brought into disrepute by the actions of another colleague or trustee.

10. Telephone Help/Support Line

- Callers may give us their name and other personal details during the course of a call or they may choose to use a pseudonym or simply remain anonymous, that is their right.
- Any detailed information from individual calls (i.e. record of issue/subject matter of call/caller's name or contact details) collected will not be printed out at any time to nullify any risk of information falling into the wrong hands (see section below as well).
- If printed **extracts** of reports are made (*such as hate crime reports to the police, call monitoring and recordings of Transfigurations work to record/promote the work delivered – also any funding applications*) then any personal information which could identify the caller will not be included and any other remarks which could potentially identify the caller will also be removed.
- Information will be stored in a password protected file on a removable hard drive which will be kept offline and only be accessed when information is recorded onto it, after such it will be removed from the computer so that even in the unlikely event of the computer being hacked, this information will not be available.
- The **only** times that these conditions will not be adhered to is if a child or vulnerable person is deemed to be at risk of harm (see our Child and Vulnerable Person Policy Documents). In such cases, the telephone helpline volunteer will contact the Management Team for advice and the Management Team may decide to contact the police or social services if they deem it necessary. The caller involved will be informed of all processes/actions.