



www.norfolklgbtproject.org.uk

CONFIDENTIALITY POLICY

1. Confidentiality Statement

Norfolk LGBT+ Project is committed to providing a confidential service to all users of its services and believes that principles of confidentiality must be integrated across all aspects of the organisation. **Norfolk LGBT+ Project** believes that users of its services deserve the right to confidentiality to protect their interests and to safeguard the organisation.

The purpose of this policy document is to establish a clear and agreed understanding of what confidentiality means within **Norfolk LGBT+ Project**, to encourage uniformity and to ensure that users of **Norfolk LGBT+ Project** services know what they can expect from the organisation. Users of **Norfolk LGBT+ Project** services refers not only to individuals who use the services but also groups and organisations. The policy document applies to all staff, volunteers and trustees of **Norfolk LGBT+ Project** and continues to apply after their service or involvement with **Norfolk LGBT+ Project** has ended. Any breach of confidentiality will be treated as a serious matter and may result in disciplinary action being taken.

2. General Principals

2.1 **Norfolk LGBT+ Project** recognises that colleagues (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 line manager.

2.2 It is essential that all documentation, information and computer systems used within **Norfolk LGBT+ Project**, are protected to an adequate level from events which may jeopardise confidentiality. These events will include accidents as well as behaviour deliberately designed to breach confidentiality.

- Laptops or files taken out of the office should be kept under lock and key at all times.

- Colleagues are able to share information with their line manager in order to discuss issues and seek advice.
- Colleagues should avoid exchanging personal information or comments (gossip) about individuals with whom they have a professional relationship
- Colleagues should avoid talking about organisations or individuals in social settings.
- Colleagues will not disclose to anyone, other than their line manager, 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. Names or identifying information must remain confidential within **Norfolk LGBT+ Project**.
- Where there is a legal duty on **Norfolk LGBT+ Project** to disclose information, the person to whom the confidentiality is owed will be informed that disclosure has or will be made.

3. WHY INFORMATION IS HELD

3.1 Most information held by **Norfolk LGBT+ Project** relates to the employees, trustees, users of our services, funders, contractors etc.

Information is kept to enable **Norfolk LGBT+ Project** colleagues to understand the history and activities of individuals and organisations in order to deliver the most appropriate services.

Anonymised information about ethnicity and disability of users is kept for the purposes of monitoring **Norfolk LGBT+ Project's** equal opportunities policy and also for reporting back to funders

4. Access to Information

4.1 Information is confidential to **Norfolk LGBT+ Project** as an organisation and may be passed to colleagues, line managers or trustees to ensure the best quality service for users of its services.

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.

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

4.2. Users of **Norfolk LGBT+ Project's** services may have sight of records held in their name or that of their organisation. The request must be in writing to the Project Manager giving 30 days' notice and be signed by the individual, or in the case of an organisation's records, by a Trustee. Sensitive information as outlined in paragraph 4.1 will only be made available to the person or organisation named on the file.

4.3 Employees of **Norfolk LGBT+ Project** may have sight of their personnel records by giving 30 days' notice in writing to the Project Manager

4.4 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.

5 Storing Information.

- 5.1 General non-confidential information about organisations is kept in unlocked filing cabinets/shelves.
- 5.2 Employees' personnel information will be kept in lockable filing cabinets by the Project Manager and will be accessible to the Trustees.
- 5.3 Filing cabinet drawers holding confidential information should be lockable. All files containing confidential information should be labelled 'confidential'.
- 5.4 In an emergency situation, the Project Manager and Trustees may authorise access to files by other people.
- 5.5 Confidential information stored on computer will be protected by use of a password.

6. Duty to disclose information.

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

- Drug trafficking, money laundering, acts of terrorism or treason will be disclosed to the police.
- In addition colleagues believing an illegal act has taken place, or that a user of **Norfolk LGBT+ Project** services is at risk of harming themselves or others, must report this to their Project Manager who will report it to the appropriate authorities.
- **Norfolk LGBT+ Project** has a duty of care towards vulnerable adults with whom staff and volunteers have contact. All volunteers and staff have a duty of public interest to report concerns relating to adult abuse, this overrides the duty of confidentiality. (See separate policy on Safeguard Vulnerable Adults).
- **Norfolk LGBT+ Project** has a duty of care towards children and young people under the age of eighteen. It is a requirement that any member of **Norfolk LGBT+ Project** staff or any volunteer working on behalf of **Norfolk LGBT+ Project** has a responsibility to pass on information and concerns regarding a child or young person who may have been or is likely to be harmed or abused, this overrides the duty of confidentiality. (See separate Policy on Safeguarding Young Persons).

Users of **Norfolk LGBT+ Project** services should be informed of this disclosure

7. Disclosures

7.1 **Norfolk LGBT+ Project** complies fully with the Disclosure and Barring Service Code of practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information.

7.2 Disclosure information is always kept separately from an applicant's personal 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.

7.3 Documents will be kept up to 6 months and then destroyed by secure means. Photocopies will not be kept. However, **Norfolk LGBT+ Project** 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, as allowed by the Disclosure and Barring Service.

8. Data Protection Act 2018.

8.1 Information about individuals, whether on computer or on paper, falls within the scope of the Data Protection Act 2018 and must comply with the data protection principles. These are that 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
- Not kept longer than necessary
- Processed in accordance with the Act
- Kept secure and protected
- Not transferred out of Europe

9. Breach of confidentiality.

Employees who are dissatisfied with the conduct or actions of other colleagues should raise this with their line manager as outlined in the grievance procedure.

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

10. Whistle- Blowing Policy.

Norfolk LGBT+ Project has a Whistle-blowing Policy which is intended to encourage and enable staff and volunteers to raise serious concerns connected with any area within the organisation or any organisation that they come into contact with while carrying out activities on behalf of **Norfolk LGBT+ Project**. The Whistle-blowing Policy applies to all employees and volunteers and is in addition to the Grievance and Complaints Policies.

11. Disposing of confidential information.

Colleagues are reminded that **Norfolk LGBT+ Project** provides confidential waste facilities which should be used for all confidential material which is no longer required. All documentation (including printed e-mails, notes, scrap paper, reports and files) that are not in the public domain should be destroyed using the confidential waste facilities provided.

Colleagues should ensure that confidential electronic information is double deleted.

Statement of Confidentiality

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- In general, all personal information will be treated as confidential
- The welfare of the child/young person is also the priority.
- Confidential information may be disclosed to Children's Services or the Police if the child's/young person's health and welfare needs protecting, or when a crime has, or may be, committed.
- In cases of medical or other sensitive information being held, members of the group will only be informed on the 'need to know' basis.
- If there are concerns about the welfare of a child/young person it is important for everyone to understand that they may not promise confidentiality.
- Information is kept in a locked drawer or cabinet, which is in a locked room or building.

NAME:

SIGNED:

ORGANISATION:

DATE:

DATE FOR REVIEW: September, 2022.