

## Children Heard and Seen CONFIDENTIALITY POLICY

### **Aim of Policy**

**Children Heard and Seen** is committed to maintaining high standards of confidentiality in all aspects of our work. The organisation holds some confidential information. This is provided by, or derived from, voluntary/community organisations, service users, third parties and volunteers and employees.

### **1. Objectives of Policy**

1. To ensure that confidential records are properly managed.
2. To ensure that confidential information is only released in accordance with our Data Protection Policy, legislative considerations, best practice and strict guidelines of the organisation.
3. To ensure that information is only disclosed with the informed consent of the person or organisation to whom the information relates, with the following exceptions:  
In an emergency, when public safety is at risk and when information is required by the police to prevent or detect crime.
4. To promote a policy that respects service user sensitivity.

### **2. Statement**

1. The use of information that **Children Heard and Seen** collects and processes will be used to provide a service.
2. **Children Heard and Seen** will not sell, trade, rent or lend confidential information to anyone.
3. **Children Heard and Seen** does use specified details to provide data information regarding work undertaken and no confidential individual information will be included.
- 2.4 Confidentiality is essential because we recognise:
  - The possible consequences for the organisation or individual if it is breached;
  - The rights of organisations and individuals to have control over information about them;
  - The duties placed on us whereby breaches of confidentiality could lead to formal complaints, grievance or disciplinary actions, or even legal action against us

### 3. Policy Principles

1. Not give organisation specific data to a third party.
2. Not use person specific information (unless absolutely necessary) – Person specific information will not be used unless there is no alternative.
3. Allow access to information on a strict need to know basis – Only those individuals who need access to organisational & personal sensitive information will have access to it, and they will only have access to the information items that they need to see.
4. Ensure everyone at **Children Heard and Seen** is aware of their responsibilities – Procedures are in place to ensure that anyone handling information is aware of their responsibilities and obligations.
5. Understand and comply with the law – **Children Heard and Seen** complies with the Data Protection Act 2018 in processing and storing personal data and information in line with General Data Protection Regulations (GDPR). Please refer to **Children Heard and Seen’s** Data Protection Policy. This policy will be reviewed regularly, ensuring that the organisation complies with all legal requirements.
6. Hold all confidential and personal information under secure and restricted conditions within the office.

### 4. Detail

The three main principles of the confidentiality policy are “informed consent”, “need to know” and “third party disclosure”. These principles apply both to service users and to volunteers and employees.

#### a. Informed Consent

- Disclosure of personal information will only take place with the informed consent of that person. For consent to be informed, we will tell the service user / volunteer/employee why there is a need to share information, with whom it will be shared and the likely consequences of agreeing or not agreeing to disclosure.
- We will state clearly that the information given may need to be shared with others in order to be able to provide the service requested and that non-disclosure could mean that a person would not gain access to a service or to support to which they might otherwise have been entitled.
- We will inform service users of our Confidentiality Policy at the first point of contact and ask them to give their consent to permit the passing on of any personal information given, if necessary, on a “need to know” basis.

#### 4.2 Need to Know

- The transfer of personal information relating to a service user/volunteer/employee will be kept to a minimum on a “need to know” basis. Only those volunteers and employees or other service providers who have a need to know, in order to provide relevant services, will share information and only after informed consent has been given.

#### 4.3 Disclosure to Third Parties

- Personal information will only be disclosed to third parties with the express, written or oral, consent of the person(s) who is (are) the data subject(s). Disclosure will only be considered, and consent sought, where there are clear reasons why this should happen.
- We will ensure that the recipient understands the need for confidentiality and that disclosure only takes place on the terms agreed with the person it concerns.
- On any occasion when confidential information is provided by way of a written or an oral response, we will state that the information provided is CONFIDENTIAL and should be respected as such.

### 5. Procedure for Dealing with Breaches of this Policy

Any breach of this policy, intended or accidental, is not acceptable. Infringements of this policy will be dealt with seriously as disciplinary matter under CHILDREN HEARD AND SEEN’s normal disciplinary procedures and may involve either informal or formal action depending on the seriousness of the case.

#### The Policy in Practice

A service user’s interventions or telephone call to the Service is completely CONFIDENTIAL. **Information is only ever shared on a ‘need to know’ basis** see This is the case regardless as to whether the person in question is known to us or not, or of who is enquiring. In quoting confidentiality, volunteers and employees use the following statement:

- 5.1 Details of sessions or any other support is confidential to the staff team. Such information will not be passed on to any third party, without exception unless the service user concerned specifically requests this to be so.
- 5.2 Information discussed during meetings where third parties may be present should be treated with the same level of confidentiality, with the exception that the third party signs a *Confidentiality for Visitors* form prior to the meeting and receives at the same time **Children Heard and Seen Policy on Confidentiality** and *Policy on Disclosure of Information*. Third parties may include other health professionals, workers or managers from other agencies with whom **Children Heard and Seen** shares or is likely to share service users, students undertaking work placement or visiting students in the course of their training, volunteers of **Children Heard and Seen**, other legitimate visitors working with or connected professionally to service users of **Children Heard and Seen**.

- 5.3 **Children Heard and Seen** works in accordance with Safeguarding Children and will share information according to these policies. Any concerns regarding a child shall be brought to the attention of the management or Trustees for their immediate action.
- 5.4 **Children Heard and Seen** is committed to partnership working for the benefit of its service users. Joint working protocols should be agreed and signed by appropriate people to allow the appropriate sharing of pertinent information to reduce the risk of potential harm to a person.

#### **Equality and Diversity**

We aim to be an organisation that values, recognises and responds to the diverse needs of members and those we serve. We adhere to the Equality Act 2010 and will not discriminate against any person or other organisation with reference to the protected characteristics (please see Children Heard and Seen's Equality Policy)

#### **Monitoring and Review**

The Management Team, with adequate consultation of the Board of Trustees, will regularly review the operation of this policy.

Last reviewed 6<sup>th</sup> September 2024

