

## FiSH NEIGHBOURHOOD CARE

### Confidentiality Policy

FiSH Neighbourhood Care (FiSH) (“the charity”) promotes the individual’s right to confidentiality and is committed to maintaining high standards in all aspects of its work. Breaches of confidentiality may jeopardise the well-being of service users, staff, volunteers, trustees, and others. As a result, such breaches may lead to formal action, including termination of membership or involvement with the Charity.

This policy applies to all records and information held by the Charity concerning staff, service users, trustees, and volunteers. It outlines situations where disclosures may be necessary and provides guidance on how these should be managed in compliance with the Data Protection Act and other relevant legislation.

Confidentiality can be compromised in various ways, including the inappropriate handling of information concerning service users, trustees, staff, volunteers, student placements, relatives, friends, or professionals. Breaches can also occur through poor statistical reporting or record-keeping. The policy prohibits the sharing of confidential information without consent, including through passing on messages or meetings with other agencies. Gossip and careless conversation within the organisation will not be tolerated, as these behaviours risk breaking confidentiality. Whether deliberate or accidental, any breach of confidentiality will be addressed according to the procedures outlined below.

### Confidentiality Procedure

#### Disclosure

1. **Consent for Sharing Information:** Consent must be obtained from the individual concerned before sharing any information with external organisations.
2. **Informed Consent:** Individuals must be informed why their information is being shared, with whom it will be shared, and the consequences of agreeing or refusing to the disclosure.
3. **Respecting Terms of Consent:** Once consent is obtained, it is the responsibility of the person disclosing the information to ensure that it is shared only under the agreed terms.

## FiSH NEIGHBOURHOOD CARE

4. **Legal Duty to Disclose:** If a staff member or volunteer believes that a person is at risk of harm or if there is a legal duty, the individual must be informed that the police or relevant authorities will be notified.
5. **Consultation:** If staff, volunteers, or trustees are uncertain about disclosing any information, they should consult this Confidentiality Policy or seek guidance from the Director before proceeding.
6. **Third-Party Access:** When information is shared with third parties (e.g., for IT or research purposes), all data must be securely returned to FiSH at the end of the project. Third parties must also comply with the Charity's confidentiality standards.
7. **Remote Access:** If remote access to the Charity's computers is required, third parties must agree to adhere to the Charity's confidentiality conditions.
8. **Limiting Use of Data:** Third parties are prohibited from using data for purposes outside of the Charity's agreed scope and may only make copies if expressly authorised in writing by the Charity's Director.

## Induction

1. **Awareness of Confidentiality:** All staff, volunteers, and trustees must be made aware of the importance of confidentiality from the outset of their involvement with FiSH.
2. **Training:** Staff, volunteers, and trustees will receive training on confidentiality, including the procedures to follow and potential consequences for breaches.
3. **Policy Distribution:** A copy of the Confidentiality Policy is posted on the FiSH website, and the implications of the policy will be explained and discussed.
4. **Understanding Consequences:** Individuals must understand that breaches of confidentiality may damage trust and service delivery and could lead to formal action.

## FiSH NEIGHBOURHOOD CARE

### Trustees

1. **Policy Awareness:** New trustees will be sent a copy of the Confidentiality Policy and must ensure compliance, particularly in relation to committee papers and discussions.
2. **Confidential Committee Papers:** All committee papers are considered confidential.
3. **Anonymisation of Service Users:** Service users will generally not be referred to by name in committee meetings or written communications. Their personal details should only be discussed when absolutely necessary.
4. **Justified Mention of Users:** If a specific user must be discussed, it must be for a clear and justified purpose.

### Staff and Volunteers

1. **Professional Boundaries:** Staff and volunteers must behave professionally at all times and avoid disclosing their personal information to service users.
2. **Recruitment Process:** All recruitment materials, including application forms and interview notes, are confidential and restricted to those directly involved in the recruitment process.
3. **Personnel Records:** The Charity will keep personnel files for staff, which will include records related to their employment. These files are confidential and accessible only by authorised personnel.
4. **Secure Storage:** All confidential records, including personnel files and user data, must be stored securely.
5. **Transparency in References:** When seeking references, referees will be informed that the request is not confidential and that personnel files are accessible.

### Users' Right to Confidentiality

1. **User Consent:** Service users have the right to confidentiality. If information needs to be shared, users must be informed who will receive the information and why.

## FiSH NEIGHBOURHOOD CARE

2. **Duty of Care:** The Charity reserves the right to disclose information if there is concern that a user is at risk. This decision must be made by the Director.
3. **Secure Record-Keeping:** Records related to service users will be stored securely and retained for two years after a user ceases to be involved with the Charity (e.g., due to relocation or death).
4. **Data Protection Compliance:** The Charity complies with all relevant data protection legislation, as outlined in its Data Protection Policy and Procedures.

### Procedures for Breaches of Confidentiality

1. **Seriousness of Breaches:** Breaches of confidentiality are taken seriously. However, where possible, breaches will be handled sensitively, recognising that many are due to thoughtlessness rather than malice. Education and awareness may be used in place of formal disciplinary action where appropriate.
2. **Volunteer Breaches:** Breaches of confidentiality by volunteers will be reviewed in a meeting with the Director to determine any necessary further action.
3. **Staff Breaches:** Breaches of confidentiality by paid staff will be discussed with the Director, and appropriate actions will be determined.
4. **Trustee Breaches:** If a trustee breaches confidentiality, a meeting will be held with the Chair to determine whether the issue needs to be brought before the full Executive Committee.