

## **CONFIDENTIALITY POLICY AND PROCEDURE**

**The aim of this paper is to set out clearly for staff, clients, board members and external agencies how personal information will managed by Dyslexia Cornwall.**

### **Introduction**

Dyslexia Cornwall's confidential policy/procedure is set out below. All paid and voluntary workers and Management Committee members are expected to abide by this policy. Clients using our service will have the relevant aspects of the confidentiality policy explained to them.

The principle of this procedure is to ensure that the safety of those in contact with Dyslexia Cornwall is maintained and that their rights are protected. Dyslexia Cornwall is committed to maintaining high standards of confidentiality in all aspects of its work. This includes records and information pertaining to employees, clients and prospective clients. Breaches of confidentiality may jeopardise the well-being of staff and clients and consequently will be subject to disciplinary proceedings.

The purpose of this policy is to give guidelines on maintaining confidentiality and the circumstances where disclosures may be necessary and the procedure for doing so.

### **1. Disclosure of information relating to member of staff**

In all but defined cases (eg disciplinary procedures), the ultimate reference point for deciding who should be informed of a piece of confidential information is the individual to whom it applies. It is important, however, that where consent is given that it is informed consent. For this to be the case it is necessary to tell the person concerned why there is a need to disclose information and to whom. The person should also be told of the likely consequences of their agreeing or not agreeing to this. (In some instances, for example, non-disclosure could mean that the person's need for a service could not be identified.) Once consent has been obtained, it is the responsibility of the person passing on any information to ensure that this is only done on the terms agreed.

Disclosure of confidential information may require written authorisation by the individual concerned.

### **2. Disclosure of information relating to clients**

#### **Child protection**

In cases where there are concerns relating to abuse or neglect of children Dyslexia Cornwall's Child Protection policy will apply.

## **Client files**

All clients have the right to view their files. However, no clients will have access to any information from a third party (eg the client's partner, children or other agencies) which is stored in their files. This is to protect the safety and confidentiality of others.

## **3.Information about staff**

A request for an employee's home address and telephone number will always be referred to the individual concerned before any information is disclosed. This is done via the line manager. There are some agencies who have some automatic right of access to certain parts of personnel information eg Inland Revenue for tax queries. The line manager will notify any staff member of any legal requirements whereby Dyslexia Cornwall is obliged to provide such information. Staff should never divulge a colleague's personal circumstances, including their address, future work place etc to anyone without permission of the worker.

## **4.Information within Dyslexia Cornwall**

This section gives guidance where staff are discussing clients amongst themselves/discussing a client with another agency on the telephone/when clients visit Dyslexia Cornwall's Drop-in Centre or other venue.

Make sure any discussion happens in an appropriate place, eg not in an office where other staff are working or where people are coming in and out of the place.

Do not gossip about clients with other clients, staff or members of your management committee.

Do not discuss personal facts about one client with another client or in the presence of another client.

Do not write derogatory comments about clients in their files (or anywhere else).

Do not leave information lying around or on screen but replace it in the appropriate place (locked filing cabinets).

## **5.Record Keeping**

This procedure covers all records held by Dyslexia Cornwall concerning staff, clients, committee members and potential clients.

### **Personnel Records**

All staff will be given a copy of the confidentiality procedure as part of their induction. The implications of the procedure for their work will be explained.

Access to personnel files can be arranged with the line manager who should make clear the following:

- who has access to files and procedure for gaining access
- how the information is stored, e.g. locked cabinet

Application forms, interview records, medical information and monitoring forms are confidential to Dyslexia Cornwall.

Equal opportunity monitoring forms will be detached from application forms on receipt and kept separate from application forms.

References - when seeking references for a new employee it is made clear to the referees that information is sought in confidence.

Probationary reviews and appraisals. The line manager should make clear who receives information on the review.

Breaches of confidentiality by staff will normally be treated within the remit of the Dyslexia Cornwall's disciplinary and grievance procedures. The nature of any breaches of this procedure will determine the level of disciplinary action, eg disclosure of unauthorised staff details would be gross misconduct.

## **Clients**

A file concerning each client will be kept by Dyslexia Cornwall's staff. The information recorded will be factual and where an opinion is recorded it will be clear that this is opinion and what this is based on.

This information will be kept in a filing cabinet, which is kept locked. All files must be returned to the cabinet after use. All electronic files will stored on a password protected computer or encrypted memory stick.

If a client asks to see their file, the relevant staff member should organise this and answer any questions about it and explain what has been written. Dyslexia Cornwall asks that clients give at least 24 hours' notice when requesting access to their files.

All clients are protected under the Data Protection Act 1988 and General Data Protection Regulation (GDPR) 2018.

Information will be kept for six years once a client has left Dyslexia Cornwall. It will then be destroyed or archived.

## **Management Committee and Trustees**

New Management Committee members and Trustees will be sent a copy of the confidentiality procedure and asked to take responsibility for implementing it.

All Management Committee and Trustee papers of a confidential nature will be marked 'Private and Confidential' and not included in the papers that are made public or widely available within Dyslexia Cornwall.

Clients will not normally be referred to by name, and discussion of their personal details at Management Committee meetings will be only as necessary.

## **Partnerships with other organisations**

Dyslexia Cornwall may be working in partnership with other bodies. Where specific information-sharing protocols exist that affect a particular client all agencies should be aware of this.

Dyslexia Cornwall will give all partnership agencies a copy of the confidentiality procedure and will explain the requirements it places on the partnership organisations.

It will be agreed at the outset which staff in the partner organisation will have access to information and in what circumstances.

Management agreements will state that breaches of confidentiality by either party will be treated as a breach of the agreement.

## **Training**

Training on the confidentiality policy and its implications should be a standard part of induction procedures for staff, and Management committee members.

## **Monitoring and review**

The Board of Trustees, will regularly review the operation of this policy.

**This policy has been approved and authorised by the Trustees of Dyslexia Cornwall.**

Signed:



Name: Barbara Hewett-Silk

Position: Chairperson

Date: 18<sup>th</sup> January 2021

Next review due: January 2022