



Confidentiality Policy

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| Policy title: | Confidentiality Policy |
| Date approved by Trustees: | 09/09/2024 |
| Signature of Chair: | <i>M. Ive</i> |
| Policy review date: | 09/09/2024 |

Level Up Gosport Confidentiality Policy

1. General Principles

1.1 Level Up Gosport 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 described as confidential and colleagues must exercise common sense and discretion in identifying whether this information should be communicated to others. Information given in confidence must not be disclosed without consent unless there is a justifiable reason e.g., a requirement of law or there is an overriding public interest to do so.

1.2 Confidential information includes anything that contains the means to identify a person, e.g., name, address, postcode, date of birth, National Insurance Number, passport and bank details. It includes information about sexual life, beliefs, commission or alleged commission of offences and other sensitive personal information as defined by the Data Protection Act. It also includes information about organisations such as confidential business plans, financial information, contracts, trade secrets and procurement information.



- 1.3 Colleagues should seek advice from their line manager about confidentiality and sharing information as necessary.
- 1.4 Colleagues will avoid exchanging personal information or comments about individuals with whom they have a professional relationship.
- 1.5 Talking about the private life of a colleague is to be avoided at all times, unless the colleague in question has instigated the conversation.
- 1.6 Colleagues will avoid discussing confidential information about organisations or individuals in social settings.
- 1.7 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.
- 1.8 Where there is a statutory duty for Level Up Gosport to disclose information, the person or people involved will usually be informed that disclosure has or will be made unless this would put at risk the safety of any individual or jeopardise a potential criminal investigation. Details about disclosure of information and who has been informed will always be kept on record and stored securely with restricted access in the Level Up Gosport office.
- 1.9 Confidential information will be stored securely. It will not be left on desks but locked away and will be stored in password protected folders on computer.

2. Why information is held

- 2.1 Most information held by Level Up Gosport relates to individuals, voluntary and community organisations, volunteers, employees, trustees or services which support or fund them.
- 2.2 Information is kept to enable Level Up Gosport colleagues to understand the history and activities of individuals or organisations in order to deliver the most appropriate services.
- 2.3 Level Up Gosport 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.
- 2.4 Anonymised information about protected equality characteristics of users is kept for the purposes of monitoring our equal opportunities policy and also for reporting back to funders.

3. Access to information

- 3.1 Information is confidential to Level Up Gosport as an organisation and may be passed to colleagues, line managers or trustees on a need-to-know basis to ensure the best quality service for users.



- 3.2 Where information is sensitive, i.e., it relates to criminal records, it will be confidential to the employee dealing with the application 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 any individual or group who may request access to the information.
- 3.3 Colleagues will not withhold information from their line manager unless it is purely personal.
- 3.4 Users may have sight Level Up Gosport records held in their name or that of their organisation. The request must be writing to the Chair of Trustees (see attached Subject Access Request Letter template) and be signed by the individual, or in the case of an organisation's records, by the Chair or Project Manager. Sensitive information as outlined in para 3.2 will only be made available to the person or organisation named on the file.
- 3.5 Employees may have sight of their personnel records by giving 7 days' notice in writing to the Chair of Trustees.
- 3.6 When photocopying or working on confidential documents, colleagues should ensure people passing do not see them. This also applies to information on computer screens.

4. Storing information

- 4.1 General non-confidential information about organisations is kept in unlocked filing cabinets and in computer files with open access to all Level Up Gosport colleagues.
- 4.2 Personnel information on employees, volunteers, and other individuals working within Level Up Gosport will be kept in lockable filing cabinets by line managers and will be accessible to the Chair of Trustees.
- 4.3 In any emergency situation, the Chair of Trustees may authorise access to files by other people.

5. Duty to disclose information

- 5.1 There is a legal duty to disclose some information including:
 - 5.1.1 Child and vulnerable adult abuse, which will be reported to the relevant statutory services
 - 5.1.2 Drug trafficking, money laundering or acts of terrorism will be disclosed to the police.
- 5.2 In addition, colleagues believing an illegal act to have taken place, or that a user is at risk of harming themselves or others, must report this to the Chair of Trustees who will report it to the appropriate authorities.
- 5.3 Users should be informed of this disclosure unless this would put at risk the safety of any individual or jeopardise a



potential criminal investigation. Details about disclosure of information and who has been informed will always be kept on record and stored securely with restricted access

6. Disclosures

- 6.1 Level Up Gosport complies fully with the DBS Code of practise, regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information.
- 6.2 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.
- 6.3 Documents will be kept for six months and then destroyed by secure means. Photocopies will not be kept. However, Level Up Gosport will 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 was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.

7. Data Protection Act

7.1 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:

- Obtained and processed fairly and lawfully.
- Held only for specified lawful purposes.
- Adequate, relevant and not excessive.
- Accurate and where necessary kept up to date.
- Not kept longer than necessary, for the purpose(s) it is used
- Processed in accordance with the rights of the data subject under the Act.
- Appropriate technical and organisational measures are to be taken to guard against loss or destruction of, or damage to, personal data
- Not transferred to countries outside the European Economic Area without an adequate level of protection in place.

8. Breach of confidentiality

8.1 Misuse of personal data and security incidents must be reported to the line manager so that steps can be taken to rectify the problem and ensure that the same problem does not occur again. This includes unauthorised access to person-identifiable information where a member of staff, or third party, does not have a need to know. It also includes incidents of information lying around in a public area, theft and loss of information