

## POLICY: CONFIDENTIALITY

### 1. Summary

- A. In the course of their work, trustees, staff and volunteers of Books To Africa International may gain information about colleagues and external individuals and organisations.
- B. In most cases, such information may not be designated as 'confidential' and colleagues may have to exercise common sense and discretion in whether specific information is confidential or not.
- C. This policy aims to provide guidance with regard to confidentiality but, if in doubt, you should seek advice from your manager.

### 2. Policy commitment

- A. Confidentiality involves ensuring that information intended for one purpose is not used for another, without the agreement of the person or organisation supplying that information.
- B. Information must not be divulged to another agency or person without the consent of the informant. The only exception is where there is clear evidence of misconduct, serious danger to the staff member or other persons in the community. Such information should then only be divulged after discussion with your manager or the Chief Executive.
- C. Any disclosure of such confidential information must remain limited to the strict needs of the situation at the time and the team member should not assume carte blanche to reveal matters which are not relevant to that situation.
- D. Team Members are able to share information with their manager in order to discuss issues and seek advice.
- E. Team members should avoid exchanging personal information or comments (gossip) about individuals with whom they have a professional relationship.
- F. It is not appropriate to discuss a person's sexuality without their prior consent.
- G. Team members should avoid talking about organisations or individuals in social settings.
- H. Team members will not disclose to anyone, other than their 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.
- I. There may be circumstance where team members would want to discuss difficult situations with each other to gain a wider perspective on how to approach a problem. The organisation's or individual's consent must be sought before discussing the situation, unless team members are convinced beyond doubt that the organisation/individual would not object to this. Alternatively, a discussion may take place without names or identifying information remaining confidential.
- J. Where there is a legal duty on Books To Africa International to disclose information, the person to whom the confidentiality is owed will be informed that disclosure has or will be made.
- K. Team members must ensure that personal papers or records relating to other team members and volunteers etc. are kept in a safe place over night. Reports should not be left in places where they may be seen by those not employed by Books To Africa International.

- L. Confidential interviews must not be held in places where they can be overheard. No-one should be asked to give personal information in, for example, a hall, or in a place such as a passage or stairs where it may be overheard by others.

### 3. Access to information

- A. Information is confidential to Books To Africa International as an organisation and may be passed to colleagues, managers or Trustees to ensure the best quality service for users, clients etc.
- B. Where information is sensitive, i.e. it involves disputes or legal issues, it will be confidential to the team member dealing with the case and their manager. Such information should be clearly labelled 'Confidential' and should state the names of the team members entitled to access the information and the name of the individual or group who may request access to the information.
- C. Colleagues will not withhold information from their manager unless it is purely personal.
- D. Users, clients etc. may have sight of records held in their name or that of their organisation in line with our Data Protection and Privacy policy.
- E. Employees may have sight of their personnel records by giving 5 days notice in writing to the Director.
- F. 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.

### 4. Storing information

- A. General non-confidential information about organisations should be kept in unlocked filing cabinets with open access to all staff members, Trustees, volunteers etc.
- B. Team members' personnel information will be kept in a lockable filing cabinet and will be accessible to the manager and other senior members of staff responsible for personnel.
- C. Files or filing cabinet drawers bearing confidential information should be labelled 'confidential'.
- D. In an emergency situation, the Chief Executive may authorise access to files by other people.

### 5. Duty to disclose information

- A. There is a legal duty to disclose some information including:
  - i. Child abuse which will be reported to the right authorities in line with our Safeguarding Policy.
  - ii. Drug trafficking, money laundering, acts of terrorism or treason which will be disclosed to the police.
- B. In addition, team members believing an illegal act has taken place, or that a user, client etc. is at risk of harming themselves or others, must report this to their manager who will report it to the appropriate authorities.
- C. Users, clients etc. should be informed of this disclosure.

### 6. Disclosures

- A. Books To Africa International will seek to fully comply with the CRB Code of practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information.
- B. 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.
- C. Documents, when expired, will be destroyed by secure means. Photocopies will not be kept. However we 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 and the details of the recruitment decision taken.

## 7. Data protection act

- A. 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 and Books To Africa International's Data Protection and Privacy Policy. These are that personal data must:
  - i. Be obtained and processed fairly and lawfully.
  - ii. Be held only for specified purposes.
  - iii. Be adequate, relevant and not excessive.
  - iv. Be accurate and up to date.
  - v. Be not kept longer than necessary.
  - vi. Be processed in accordance with the Act.
  - vii. Be kept secure and protected.

## 8. Breach of confidentiality

- A. Team members who are dissatisfied with the conduct or actions of other colleagues at Books To Africa International should raise this with their line manager using the grievance procedure, if necessary, and not discuss their dissatisfaction outside Books To Africa International.
- B. Colleagues accessing unauthorised files or breaching confidentiality may face disciplinary action. Ex-team members breaching confidentiality may face legal action.