



CONFIDENTIALITY POLICY

Notts SVSS recognises the great importance of confidentiality in the professional practice of its paid staff, volunteers and administrative procedures. It understands confidentiality to mean that information clearly intended for one purpose should not be used for another without the sanction of the person supplying that information and held securely. Information remains confidential within Notts SVSS not between the source and the individual staff member

Notts SVSS must be trusted by others with sensitive information if we are to cover all areas of our responsibility of helping people, groups and organisations.

Paid staff and volunteers will be bound by the same requirements.

All paid staff and volunteer staff will be asked to sign a copy of the Notts SVSS Confidentiality Statement, at the time of their induction, acknowledging that they will comply with this policy.

Confidentiality

Notts SVSS treats this important and complex subject seriously and requires all paid staff and volunteers to respect the need for confidentiality in relation to their work at all times.

Notts SVSS instructs all paid staff and volunteers on matters of confidentiality and has clear guidance of what is and is not confidential, as outlined below. All are required to seek clarification from their Line Manager if they are unsure on any matters and not to divulge anything unless they are clear that they are authorised to do so.

Confidentiality is mostly a matter of respect, common sense and common decency for the people we work with, for those we work for and come into contact with during our work.

It relates to sensitive information that we receive or have access to in the course of our work at Notts SVSS and may relate to individuals or groups/organisations.

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 a senior member of staff and consent given in writing.**

Any disclosure of such confidential information must remain limited to the strict needs of the situation at the time and the staff member should not assume carte blanche to reveal matters which are not relevant to that situation.

Staff members must ensure that personal papers or records relating to service users are kept in a secure place. Reports should not be left in places where they may be seen by those not employed by Notts SVSS.

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, over a counter, or in a place such as a passage or stairs where it may be overheard by others.

Notts SVSS paid staff and volunteer staff **must**:

- Seek to be trusted by all people and give confidence that confidentiality will be maintained.
- Honour the confidences which Notts SVSS is party to and are necessary to perform the functions and provide the services of Notts SVSS.
- Confide in their Line Manager any matters which concern them about possible breaches in confidentiality by another person.
- Confide in the Chief Executive Officer any matters which affect the reputation of Notts SVSS.
- All sensitive or personal information must be shredded when not required anymore and not placed in the paper recycling or waste paper bins.
- Continue to care for those you are in contact with and if any matter causes you concern share it privately with the Line Manager.

Notts SVSS paid staff and volunteer staff **must not**:

- Remove paper records containing sensitive information of any kind from the building, except with prior approval of their Line Manager.
- Discuss financial or other information about any individual, group or organisation with people outside Notts SVSS working conditions.
- Discuss personal information relating to staff of other groups/organisations with a third party.
- Divulge Notts SVSS paid staff or volunteers' home addresses and telephone numbers. If the matter is urgent you must telephone the colleague who can contact the enquirer if they so wish.

The Confidentiality Policy will be included as part of Notts SVSS induction for trustees, staff and volunteers.

Third parties

It is not only service users who have the right to confidentiality. Third parties e.g. other agencies, must not be quoted without their permission or discussed with service users without the agreement of the third party in writing (e.g. email). Discussion about service users must not take place in a public place and must be conducted at all times in a manner conducive to creating an atmosphere of trust.

The organisation will not give out information about any individual unless it is satisfied that:

- Giving the information is appropriate because of urgency or because the level of risk is low.
- The identity of the person making the request has been verified.
- The person making the request is authorised to have the information.
- The Data Subject knows that this type of disclosure may be made (or that there is some over-riding reason for the disclosure).

The web site will not contain any personal data that is not absolutely necessary.

Care should be taken to ensure that when records are destroyed this is done effectively and shredded wherever possible.

Access to information

In order to comply with the Data Protection Act, all paid staff and volunteers must ensure that this requirement is met.

Use of any organisational database as part of their work all staff and volunteers are required to sign a declaration to confirm that they adhere to this confidentiality statement.

ICT

No records on any database are used in any/all of the following ways:

- Given out to the public
- Produced in fact sheets
- Published in directories
- Included on a web site

Records are on any database are marked as to their use, e.g. if clients have agreed to mailings.

Access to personal records/personal files

Notts SVSS does not provide access to personal records/personal files other than to the individual staff member/volunteer and the Line Manager.

Disciplinary Action

Failure to comply with this policy will invoke the standard Notts SVSS Disciplinary Procedures. If in doubt, remember not to divulge any information. If unsure, please discuss with the Chief Executive Officer. This policy is by no means to hinder any Notts SVSS role or responsibility. They are simply to clarify the position and ensure Notts SVSS and the paid staff and volunteer staff are working to the same standard and in compliance with the Data Protection Act.

Document Retention Policy

All members of staff/volunteers should refer to the Notts SVSS Document Retention Policy for details on the documents to keep and for how long.

Clients and Confidentiality

Protecting the confidentiality and privacy of our clients is an essential part of building trust within the therapeutic relationship and an integral part of the counselling profession – having regard to the ethical principles of being trustworthy, autonomy, beneficence, non-maleficence and justice. However, confidentiality is not absolute, and there are exceptions.

As a therapist/support worker, it is therefore essential that you:

- a. are fully aware of the extent and limitations of the confidentiality that the client is being offered by you as a therapist
- b. gain explicit consent to the making and keeping of records that contain personally sensitive information about the client – a requirement of the GDPR and the Data Protection Act 2018 that will apply to most records and notes written by you as a therapist
- c. can clearly state (within your contracting) the circumstances in which you may seek to breach confidentiality; this can include providing the opportunity to discuss this with the client at the outset of the therapeutic work together to ensure understanding
- d. establish a clear therapeutic contract with terms that the client fully understands, accepts and supports
- e. confirm who will make, keep and have access to the client's notes and records, how they will be kept, for how long, and for what purposes they may be retained/destroyed/disclosed
- f. fully inform a client when you may have to or are about to breach the client's confidentiality unless there are cogent, defensible reasons why this cannot be the case, for example, in cases of terrorism, certain child protection situations (such as where it may be dangerous to a child or

- others to alert a person about impending disclosure, or may compromise a police investigation) or mental incapacity
- g. manage with diplomacy and sensitivity such a situation should this arise where the client does not wish for information to be shared but the circumstances dictate this as being necessary; be mindful of the impact on the therapeutic alliance
 - h. can confirm to a client in the above circumstances - how, why and to whom information will be given by you
 - i. know the importance of the client seeing and knowing what is being said about them if the client so wishes

Please also refer to:

Notts SVSS Policy on Information Sharing & Governance

Notts SVSS Confidentiality Agreement for Counselling

BACP Ethical Framework for Good Practice

BACP's Legal Resource "Maintaining Confidentiality within the Counselling Professions"

Last review: April 2022

Next review due: April 2023