



Confidentiality Policy

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www.peopleknowhow.org

Designated Person For Child Protection:
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1. Statement of Policy

People Know How strongly believes that the effective provision of its services and activities requires that information given to staff members and volunteers both by the organisation and by service users be confidential. All personal information and any information disclosed to staff members and volunteers is regarded as being information given in confidence and therefore, shall not be divulged to anyone, except in certain exceptional circumstances.

Confidentiality applies to all service users. Confidentiality also applies to all staff members and volunteers. Personal details of any staff member or volunteer will not be shared without their express consent.

This Policy is intended to ensure that everyone handling information is fully aware of their responsibility to protect the confidentiality of People Know How, its service users, staff members and volunteers.

2. Scope of Policy

This Policy applies to all individuals within People Know How accessing personal or confidential information about service users, staff members, volunteers or the organisation.

3. Responsibilities

Overall responsibility for confidentiality rests with the governing body. In the case of People Know How, this is the Board of Trustees. However, as representatives of People Know How, all staff members and volunteers have a responsibility to ensure confidentiality is maintained and will be expected to agree to and abide by a Confidentiality Statement (see Appendix A).

Responsibility to People Know How

Confidentiality applies to all information disclosed to staff members and volunteers by People Know How – or any other staff member or volunteers – on behalf of the organisation. This information cannot be shared with any other persons without the permission of People Know How.

Staff members and volunteers should not at any time (whether during the course of, or after the termination, of their contract or volunteer placement with People Know How) – directly or indirectly – divulge or communicate to any person (other than those with proper authority) or use (except as required to carry out their duties) any information confidential to People Know How. This applies to information relating to research, workshop and training content, correspondence details and any other information pertaining to any of People Know How's services and activities.

All notes, data storage devices, plans, correspondence records, documents, extracts or copies and synopses and other items made, used or held by staff members and volunteers which relate directly or indirectly to the services and activities of People Know How shall be, and remain at all times, the property of People Know How. Staff members and volunteers are not entitled to retain or store any such items after the termination their contract or volunteer placement with People Know How and shall

surrender all such items which are in their possession or control and which either belong to People Know How or contain confidential information.

Staff members and volunteers should not issue or permit to be issued any press or other media statements relating to the affairs of People Know How without prior written consent. Staff members and volunteers should not publish or submit for publication any article that relates directly or indirectly to their work for People Know How without prior written consent. This restriction shall continue to apply indefinitely after the termination of their contract or volunteer placement with People Know How but shall cease to apply in respect of any information which is in the public domain before such publication, otherwise than by breach of confidentiality outlined in this Policy.

Responsibility to Service Users

All service users can be assured that any information disclosed to People Know How staff members or volunteers will not be communicated or divulged to any person, organisation or agency, including other staff members and volunteers from within People Know How (other than those with proper authority) without their permission, except in the following exceptional circumstances:

- If child abuse is suspected
- If an act of terrorism, or terrorist activity, is suspected
- If a service user or other person is suspected to be at risk of harm or in immediate danger, e.g. physical danger, death or suicide
- If a statute or court order requires it

Staff members and volunteers have a duty to report information relating to child protection to statutory agencies as outlined in People Know How's Child and Vulnerable Adult Protection Policy. Staff members and volunteers may also be required to disclose information given in confidence if cited as a witness in court, or obliged to give a precognition under oath.

Confidentiality should be breached when a child, young person, vulnerable adult or other person is perceived to be in a dangerous situation or at risk of harm. Staff members and volunteers should follow the procedure for breaching confidentiality in exceptional circumstance outlined in the following section.

4. Procedure for Breaching Confidentiality

If a staff member or volunteer has reason to believe that circumstances exist which indicate the need for confidentiality to be breached, the following steps should be taken:

1. The concerned individual's permission to pass on the confidential information should be sought and concerns should be recorded on a Reporting Concerns Form (see Appendix B) or Bully Report Form (see Appendix C).
2. In cases involving a child, young person or vulnerable adult – irrespective of whether permission is forthcoming – the **Designated Person** for Child Protection within People Know How should be consulted immediately and asked to take a decision as to whether confidentiality should be breached. In the event that the **Designated Person** is not available or the concerned individual is not a child, young person or vulnerable adult, a member of the Board of Trustees should be consulted immediately and asked to make a final decision.

3. If no member of the Board of Trustees is immediately available, and a staff member or volunteer reasonably considers that the matter is urgent, that staff member is empowered to take necessary action.
4. Where a final decision is taken to breach confidentiality the following steps should be taken:
 - a) The **Designated Person** for Child Protection and/or the Board of Trustees should be immediately advised of the situation so that they may support the staff member or volunteer in dealing with the situation and is available to take any further decisions.
 - b) If the situation is one where there is evidence of risk of harm or immediate danger to a child, young person, vulnerable adult or other person, and there is information as to the whereabouts of that child or person the appropriate emergency services should be notified.
 - c) Judgement must be used as to whether telling the child, young person, vulnerable adult or other person that confidentiality has been breached would intensify the danger. If it is considered that telling them will not intensify the risk, the child, young person, vulnerable adult or other person should be informed of the steps to be taken, and their permission sought. In the event that permission is refused, that refusal shall not affect the decision to contact the emergency services.
 - d) All information leading to a decision to breach confidentiality, and the decision itself, must be recorded at the time the decision is made, or as soon as practical thereafter and certainly during the same working day. If neither the **Designated Person** for Child Protection, nor a Trustee, could be consulted they must be notified of the action as soon as possible.

5. Implementation

Communication with Service Users

Any preferences expressed by a service user about modes of communication should be respected. A child, young person, vulnerable adult, family member or other person should be able to contact People Know How, without considering the possibility that a return communication may lead to discovery of the enquiry. Thus any message left by People Know How staff members and volunteers with another person, answering service or mobile phone should not contain information that would reveal that a People Know How staff member or volunteer had left the message or the content of the call. For the avoidance of doubt it is better that no message be left unless the staff member or volunteer feels that it is essential that they do so.

In addition, all communications with children and young people must be age appropriate.

Service users must only be written to by People Know How if it is their preference. The concerned individual should be asked to consider any risk of the communication being read by another person. If necessary, when writing to the concerned individual, letters can be sent in hand-written envelopes that do not bear the organisation's logo or other identifying information. The concerned individual should also be asked if they wish letters to be sent to an address other than their home address.

Communication of Policy to Staff Members and Volunteers

All staff members and volunteers will be provided with a copy of this Policy and all other relevant policies, including People Know How's Child and Vulnerable Adult Protection Policy and Anti-Bullying Policy, within their first week of employment or voluntary placement. It is essential to their employment or voluntary placement that they abide by this Policy and they shall be asked to read and sign a Confidentiality Statement (see Appendix A). Unauthorised breaches of this Policy shall be regarded as grave misconduct and shall lead to disciplinary action or volunteer problem-solving procedure. Should the breach be of a serious nature it may lead to immediate dismissal or termination of voluntary placement.

Communication of Policy to Service Users

If a service user enquires about People Know How's Confidentiality Policy, full details will be provided. In the event that a service user appears to be about to disclose something which may be significant or trigger child and vulnerable adult protection procedures, staff members and volunteers must advise them of this Policy and how disclosures must be dealt with. This information must be provided sensitively and in an age appropriate manner.

6. Monitoring & Review

The effectiveness of this Confidentiality Policy will be reviewed annually and action taken as necessary.

This Policy will be reviewed in 2017.

Appendix A: Confidentiality Statement

This Statement is to be signed by all staff members and volunteers within People Know How.

When working or volunteering for People Know How, you will often need to have access to confidential information that may include:

- ↓ Personal information about individuals who are involved in the activities and services organised by People Know How.
- ↓ Information about the internal business of People Know How.
- ↓ Personal information about staff members and volunteers working for People Know How

People Know How is committed to keeping this information confidential, in order to protect service users, staff members, volunteers, and People Know How itself. 'Confidential' means that all access to information must be on a need-to-know and properly authorised basis. You must use only the information you have been authorised to use, and for purposes that have been authorised. You should also be aware that under the Data Protection Act, unauthorised access to data about individuals is a criminal offence.

You must assume that information is confidential unless you know that it is intended by People Know How to be made public or have permission. You must also be particularly careful not to disclose confidential information to unauthorised people or cause a breach of security. In particular you must:

- ↓ Not compromise or seek to evade security measures (including computer passwords).
- ↓ Not gossip about confidential information, either with staff members/volunteers or people outside People Know How.
- ↓ Not disclose information — especially over the telephone — unless you are sure that you know who you are disclosing it to, and that they are authorised to have it.
- ↓ Not promise complete confidentiality – there are certain cases in which you will have a responsibility to pass information on, as outlined in People Know How's Confidentiality Policy.

In most cases, if you are in doubt about whether to disclose information or not, do not guess. Withhold the information while you check with an appropriate person whether the disclosure is appropriate. There are certain cases where you might have access to information related to someone's personal safety. In these instances, you should abide by People Know How's Confidentiality Policy, Child and Vulnerable Adult Protection Policy and/or Anti-Bullying Policy.

If you are worried someone may be at risk or that it may be an emergency call 999.

Your confidentiality obligations continue to apply indefinitely after you have stopped working or volunteering for People Know How.

I have read and understand the above statement. I accept my responsibilities regarding confidentiality.

Signed (Staff Member/Volunteer):

Date:

Appendix B: Reporting Concerns Form

Reporting Concerns Guidance

As a staff member or volunteer with concerns about a child or vulnerable adult or receiving a disclosure from a child, vulnerable adult or another person, you should note down all details as soon as possible. You may also use this Form to record concerns relevant to another person who is not a child, young person or vulnerable adult.

It is vital that you make clear and concise notes soon after the disclosure in order to complete a more detailed record on the Reporting Concerns Form. Use the child or other person's own words wherever possible. The term 'subject' refers to the subject of the reported abuse.

The Reporting Concerns Form should:

- Include the date and time of the disclosure
- Include the place and context of disclosure
- Include important facts provided, e.g. any names mentioned.
- Be written in ink and be signed by the recorder
- Be passed to the **Designated Person** immediately (certainly within 24 hrs)
- Be factual/state exactly what was said
- Include details of any additional observations

Clearly identify any interpretations, opinions and observations you include and be prepared to have their validity questioned if the matter goes to court.

Whenever necessary, the above details will be used to complete a Child Protection Referral Form. The **Designated Person** for Child Protection should complete all Child Protection Referral Forms, except in cases of immediate urgency.

If you are concerned about the immediate safety of a child, young person or vulnerable adult, do not hesitate to contact the police or social services.

Reporting Concerns Form

This form is to be used by all staff members and volunteers to report any concerns they may have about a child or vulnerable adult to the **Designated Person** for Child Protection within People Know How. This Form may also be used to record concerns about another person, who is not a child, young person, or vulnerable adult. In these cases, this form should be passed to a member of the Board of Trustees.

In some instances you may already know details that may be helpful (particularly for the investigative agencies). However, if you do not have this information then you should NOT probe for it. If you do have this information, it may be extremely useful and should be included as part of any subsequent referral, so please complete this form as fully as you are able.

Before completing this form, please also refer to the Reporting Concerns Guidance above.

Subject's First Name:

Subject's Surname:

Other name/s known by:

Date of Birth:

Gender:

Religion:

First Language:

Age:

Any language needs?

Name of Parents/Carers (if applicable):

Home Address:

Any other relevant addresses:

Post Code:

Telephone Number/s:

Post Code:

Ethnic Origin:

Other Significant Family Members / Adults

Name	Relationship	Contact Details
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Other Contact Information

Please add others you think may be relevant

Agency (if applicable)	Name	Address	Telephone
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Does the subject have any physical or learning impairments or difficulties that you know of?

Do they have any specialist health needs?

If yes, please give details.

Do you have any other relevant information regarding the behaviour and abilities of the subject?

Please include any details regarding linguistic ability, level of sex knowledge/education, range of behaviours/emotional states, development, etc.

Why are you concerned about the subject?

If you have been disclosed to by a child, vulnerable adult, or another person, include details of the time, location and any details from the disclosure – use the individual's own words wherever possible. Please identify your specific concerns and comment on what you think the child/vulnerable adult needs from support services. State how long you have known the child/vulnerable adult and in what capacity. If you have continued on a separate sheet of A4, please tick the box on the right. Please also sign, date and attach sheet to this form

Do you know of any co-existing abuse concerns relating to this subject or to their parents/ carers and wider family?

Please include any details regarding offending behaviour, substance abuse, alcohol abuse, domestic abuse, history of abuse with a sibling, etc.

What information do you know about the subject's wider family?

Include relationships, friendships, behaviour, support, stability, safety, who lives at the home address, who visits and when, etc.

Do you know of any environmental factors that might affect the subject?

Consider housing issues, who has employment in the household, financial situation, community involvement, contemporaneous life events, etc.

Any other relevant information

Have you taken any action regarding your concerns about this subject prior to completing this form?

Please include details of any you have people spoken to (including parents/carers), times, dates, locations, any other actions taken, etc.

Staff Member / Volunteer

I understand that the information in this form may be passed to investigative agencies.

Name and Role [Please Print]:

Please provide Contact Number:

Signature:

Date:

Designated Person for Child Protection

In certain cases, a Trustee may complete this section.

Name [Please Print]:

Date Received:

Signature:

Date:

Action to be taken

Decision by Designated Person:

Details of any referrals made:

Signature of Designated Person:

Date:

I have been informed of the action taken subsequent to my reporting concerns to the **Designated Person** for Child Protection.

Signature of Staff Member / Volunteer:

Date:

Appendix C: Bullying Report Form

The staff member or volunteer responsible for recording the allegation of bullying should complete this Form as fully as possible. This Form should be then passed to the **Designated Person** for Child Protection to investigate the allegation of bullying, to complete any missing information, and to take a decision on further action to be taken. A copy of the completed Form should be retained for records.

TO BE COMPLETED BY STAFF MEMBER / VOLUNTEER REFERRING REPORT

Name of Staff Member / Volunteer referring report:

Date reported:

Date incident occurred (if different):

Name and Details of those involved

Please add any extra information to additional sheets.

Person(s) alleged to have bullied

Person(s) alleged to have been bullied

Name(s)

Date of Birth

Age

Gender

Ethnicity

Religion

Any language needs?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, give details</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, give details</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, give details</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, give details</i>
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Disability	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, give details</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, give details</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, give details</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, give details</i>
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Nature of Alleged Bullying Behaviour

Please add any extra information to additional sheets.

Emotional Bullying	<input type="checkbox"/>	Sexual Bullying	<input type="checkbox"/>
Verbal Bullying	<input type="checkbox"/>	Cyber Bullying	<input type="checkbox"/>
Physical Bullying	<input type="checkbox"/>		

Are there any indications that the alleged bullying behaviour may have been influenced by any of the following:

Race	<input type="checkbox"/>	Sexual Orientation	<input type="checkbox"/>
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Disability	<input type="checkbox"/>	Gender	<input type="checkbox"/>
Religion	<input type="checkbox"/>	Other:	<input type="checkbox"/>

How did the alleged bullying start?

Was the reported incident spontaneous or premeditated?

Spontaneous Premeditated

When did the alleged bullying take place?

Where did the alleged bullying take place?

Where there any witnesses to the alleged bullying behaviour?

Please add any extra information to additional sheets.

Name	Home Address	Telephone Number
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Who reported the alleged bullying?

Person(s) alleged to have been bullied	<input type="checkbox"/>	Member of staff member / volunteer	<input type="checkbox"/>
Parent / Carer	<input type="checkbox"/>	Other service user	<input type="checkbox"/>
Other:	<input type="checkbox"/>		

Initial report made to:

Is there any relevant background or history to the alleged bullying?

Are there any other factors that may have contributed to the alleged bullying?

Why was this perceived to be bullying?

To what extent did what happened affect others?

What was the response of the victim(s)?



Name of Parent(s)/Carer(s) (if applicable):

Home Address:

Any other relevant addresses:

Post Code:

Post Code:

Telephone Number/s:

Have the parents / carers been informed? Yes No

TO BE COMPLETED BY DESIGNATED PERSON FOR CHILD PROTECTION

Investigative procedures carried out

Interviewed those involved	<input type="checkbox"/>	Interviewed witnesses of incident	
Discussed with parents/carers of victim(s)	<input type="checkbox"/>	Discussed with parents/carers of perpetrator(s)	<input type="checkbox"/>
Other:	<input type="checkbox"/>		<input type="checkbox"/>

Was the allegation substantiated?

Yes No

Other information:

Detail any action taken, including any action taken to support victim(s) and perpetrator(s)

Indicate the date this incident was reviewed

Date

Details of Review:

Further Comments

SIGNED

Signature of Staff Member / Volunteer referring report:

Date:

Signature of Designated Person:

Date: