# Confidentiality

Bonny Downs Community Association (BDCA) recognises that those acting on its behalf gain information about BDCA, individuals and other organisations during the course of their duties. The confidentiality status of such information will not always be made explicit. This policy aims to give guidance on the treatment of such information.

**Scope**

The policy applies to all staff including employees, workers, contractors, volunteers and trustees.

Information includes that belonging to:

* Service users
* Staff members/colleagues
* BDCA itself
* Other organisations and their staff.

Information may be physical (e.g.: paper records), electronic (e.g.: emails, database entries), or intangible (e.g.: something which has been said, surmised or otherwise known).

**Guidelines**

Information about BDCA

In the interests of transparency, accountability, and sharing good practice, much of BDCA’s information is routinely placed in the public domain (accounts, annual reports, publications, website, etc). However, BDCA information should not be shared beyond the organisation where so doing may cause detriment to BDCA’s reputation or operations. This may include information of a financial, sensitive, provisional, or innovative nature.

If staff are uncertain whether information may be divulged, they should seek advice from their line manager. Such information should not be shared within BDCA except on a ‘need to know’ basis, where other staff require the information in order to fulfil their duties properly.

Information about others

BDCA operates a policy of confidentiality within the team. This means information is shared on a ‘need to know’ basis, only where sharing information will enable BDCA to provide a better or more coordinated service or where there is a safeguarding, legal or ethical concern.

This may include:

* Seeking advice from a line manager;
* Updating colleagues also working with an individual, organisation, or matter about relevant developments;
* Peer supervision and case conferencing (data may be anonymised where it is not necessary for colleagues to know which case is being discussed).

However, staff should avoid exchanging personal information or comments about individuals with whom they have a professional relationship unless the individual in question has instigated the conversation or given express permission for information to be shared.

Physical and electronic information should be handled in accordance with BDCA’s Data Protection Policy.

Sharing information about others beyond BDCA

Where it is necessary to share information beyond BDCA (e.g.: if referring a service user to another organisation or advocating on their behalf), prior consent should be sought and obtained from the individual concerned.

BDCA has a legal duty to disclose some information including:

* Abuse of children or vulnerable adults;
* Drug trafficking, money laundering or acts of terrorism.

In addition, staff believing an illegal act has taken place or that a user is at risk of harming themselves or others, should report this to the Chief Executive who will take appropriate action, which may include reporting it to the appropriate authorities.

Where there is a legal duty for BDCA to disclose information, the person to whom the confidentiality is owed will normally be informed that disclosure has or will be made, unless doing so would put someone at risk.

Where concerns are raised or a disclosure made about the wellbeing of a child or vulnerable adult, the procedures set out in BDCA’s Children and Vulnerable Adults Safeguarding Policy should be followed.

Sight of records

Service users may have sight of BDCA records held in their name, following the procedure set out in BDCA’s Data Protection Policy.

Staff may have sight of their personnel records by giving 14 days’ notice in writing to the Chief Executive.

Staff who are dissatisfied with or concerned about the conduct or actions of colleagues or BDCA should use the Grievance Procedure or Public Interest Disclosure (Whistle-Blowing) Policy as appropriate, rather than discussing their dissatisfaction outside BDCA.

Service users should be made aware of BDCA’s Confidentiality Policy, in particular that individual staff will never promise absolute confidentiality, and that there are circumstances under which BDCA may breach confidentiality.

Staff accessing unauthorised files or breaching confidentially may face disciplinary action.

This policy is non-contractual and may be reviewed and amended from time to time by BDCA’s Trustee Board.