

## CONFIDENTIALITY POLICY

### INTRODUCTION

The guidelines in this document are set out to govern the sharing of confidential information between Reading Community Learning Centre (“RCLC” or “the Centre”) and an external organisation or individual.

The guidelines provide a framework to:

- enable the secure and confidential sharing of information to allow RCLC to meet the needs of its users; and
- to inform individuals how information about them could be shared and how this sharing will be managed.

RCLC recognises the right to privacy of the individual as a basic human right. We accept that personal details about an individual belong to that individual. Accordingly, we undertake to respect the confidentiality of certain information.

### DEFINITIONS

- **Confidential information** is defined as verbal or written information, which is not meant for public or general knowledge, information which is regarded as personal by clients (individuals or organisations), members, trustees, staff or volunteers. This includes a person’s personal data or sensitive personal data.
- **Personal data** is defined as “any information relating to an identified or identifiable natural person” and includes things like someone’s name, address, age, telephone number and hobbies

Some types of personal data are **sensitive personal data**. This includes protected characteristics such as sexual orientation, country of origin, racial or ethnic origin, political opinions and religious beliefs, physical or mental health, trade union membership and genetic or biometric data where it is used for the purpose of identifying someone (such as fingerprint access). Personal data relating to a person’s criminal convictions and offences are not included, but similar extra safeguards apply to its use.

- **Confidentiality** is based upon a reasoned concern for protecting the interests of the person to whose personal information RCLC has access. Working to confidentiality guidelines means that information may be disclosed only with consent and when necessary, and that discussion and consultation remains within these boundaries. Working in this way protects both the integrity of RCLC itself, and that of individual staff.

## I) POLICY

1. RCLC will follow the requirements of the General Data Protection Regulations (GDPR) when dealing with personal data and sensitive personal data.
2. RCLC regards it as a duty of paid and unpaid staff, volunteers and trustees not to reveal to any person or organisation outside RCLC, without the specific consent of the individual(s) or organisation(s) involved, any matter, which becomes known to them via their involvement with RCLC
3. RCLC would disclose information *without consent* if it believes that:
  - a. a person is at risk of being harmed
  - b. a person's life or safety is at riskor:
  - c. if required by statute (e.g. there is a legal obligation to report drug trafficking/money laundering/terrorist activity to the police)
  - d. if required under a contractual obligation (e.g. where services are purchased by the local authority, etc, and that contract requires disclosure of certain information)
  - e. if required by a court or court order.

A disclosure of confidential information without permission would therefore be to the police, an authorised organisation (e.g. local authority) or to the courts.

4. RCLC recognises that trustees, staff and volunteers may become aware of a wide range of information which they may need to share with others internally - for example: discussion of client issues during supervision, discussion of situations to gain experience from colleagues, etc. This kind of information sharing must not be done publicly - i.e. where it may be overheard, or where it may be discussed, and the general rule is that no individual or organisation should be named or otherwise identified except during individual supervision sessions if necessary. Only essential information should be recorded, and this should be done without identifying individuals.
5. Care should be taken when using the telephone, written records of calls which contain confidential information should be treated as in 4 above.
6. The sending or receiving of emails which may contain personal information should only be undertaken if 'call back' where emails can be validated before the email is sent, is used.
7. Confidential data sharing should be avoided in emails but if it is then it should be password protected or in an encrypted attachment.
8. Statistical information may be used for monitoring and funding purposes but must not be attributable to an identified individual.

## II) PROCEDURES FOR DISCLOSURE

There are three separate procedures depending upon the circumstances of disclosure which are set out below:

1. authorised disclosure verbally or in writing.
2. un-authorized disclosure - where a person is at risk
3. un-authorized disclosure - when required by statute, contractual obligation or the courts.

### 1. Authorised disclosure

If RCLC wishes to share data or information about an organisation or individual with other organisations or, an organisation wishes to have access to confidential information, then explicit positive consent must be sought from the individual(s) or organisation(s) to which the information pertains. Should the individual(s) or organisation(s) refuse consent; the information must not be disclosed. All requests for authorised disclosure must be agreed with the Centre Manager before a request for consent is made.

### 2. Un-authorized Disclosure - where a person is at risk

If a member of staff is concerned that an individual, a child or adult is at risk of being harmed then that member of staff should:

- a. Seek advice from the Centre Manager, but if that is not possible then *call the police immediately*.
- b. Record full details of the incident including times, people consulted and information given.
- c. Report to the Centre Manager as soon as is possible.

### 3. Un-authorized Disclosure - when required by statute, contractual obligation or the courts

All requests for information must be in writing to the Centre. The information required must be either to support action covered by these guidelines or must fall within exceptions within GDPR. A record setting out the request and grounds for disclosure will be kept. Please refer to the RCLC GDPR Data Mapping Record.

In all of the above cases (1 to 3), if the Centre Manager is unavailable, the Chair of Trustees must be informed as soon as is possible.

## III) AWARENESS

1. Regarding internal information, trustees, staff and volunteers are reminded that confidentiality extends to all issues relating to the internal affairs of RCLC: there may be times when confidential internal information is accessed - e.g. on finance, recruitment, planning, etc; such information should not be disclosed outside the organisation unless the procedures as set out in these guidelines are followed and authorisation is given.

2. All staff, volunteers and trustees are required to follow these guidelines and other related RCLC policies, which will be kept available in the Centre’s Policies Folder.

Date Approved by Board [Jul 2022](#)

Review Date [Jul 2025](#)

Signed on behalf of the Board of Trustees

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Dated

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