



Charity Number: 1162234

Policy Name:	Confidentiality Policy
Date Last Reviewed:	May 2024
Approved by:	Board of Trustees
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Date for Next Review:	May 2026

Purpose

The purpose of this Confidentiality Policy is establish clear principles that must be observed and maintained by all individuals associated with York LGBT Forum and have access to person-identifiable information or confidential information. This includes all trustees, volunteers, individuals leading projects and workstreams, freelance workers and their subcontractors and full members. Everyone must understand their responsibilities for safeguarding confidentiality and ensuring information security.

All York LGBT Forum trustees, volunteers, individuals leading projects and workstreams, freelance workers and their subcontractors and full members are bound by a legal duty of confidence to protect personal information (person-identifiable and confidential) they may come into contact with during the course of their work. This is also covered in the Data Protection Bill 2018.

This policy outlines the necessary steps to comply with these legal duties.

Definitions

Person-identifiable information is anything that contains the means to identify a person, e.g. name, address, postcode, date of birth, and must not be stored on removable media unless it is encrypted.

Confidential information can include mental-health information, session details, information that is private and not public knowledge or information that an individual would not expect to be shared.

Scope

This policy applies to all York LGBT Forum trustees, volunteers, individuals leading projects and workstreams, freelance workers and their subcontractors and full members.

Policy

Information can relate to service users and workers, however stored. Information may be held on paper, CD/DVD, USB sticks, computer file or printout, laptops, palmtops, mobile phones, digital cameras or heard by word of mouth.

If the trustees, volunteers, individuals leading projects and workstreams, freelance workers and their subcontractors and full members have to share confidential information and it is not an exceptional circumstance (see below), they must ask (and have a duty to ask) the service user, and have a written agreement from the service user, that the confidential information can be shared.

Exceptional circumstances

Exceptional circumstances may prevent the trustees, volunteers, individuals leading projects and workstreams, freelance workers and their subcontractors and full members from seeking the service user's consent to a breach of confidence due to the urgency and seriousness of the situation, for example, preventing the client causing serious harm to self or others. In such circumstances the practitioner has an ethical responsibility to act in ways which balance the client's right to confidentiality against the need to communicate with others.

Safeguarding

Where confidential information becomes a safeguarding issue, the safeguarding procedures as outlined in the Safeguarding Policy must be followed and under no circumstances should a trustee, volunteer, individual leading projects and workstreams, freelance worker and their subcontractors or full members agree to keep information confidential that may need to be reported for safeguarding purposes.

Legal Compliance

General Data Protection Regulation (**GDPR**) adopted in the Data Protection Bill 2018 informs how anyone dealing with data about other people should treat this personal information. This includes information that is kept on a computer or in writing. The York LGBT Forum will make sure that information about the service user is up-to-date, accurate and relevant. We will protect services users' information against unauthorised access. Service users can access their records at any time. More information on GDPR can be found in the York LGBT Forum's Data Protection Policy.

The Human Rights Act 1998 protects a service user's rights under the European Convention on Human Rights. No organisation should infringe these rights. Article 8 of the convention says that you have the right to respect for "private and family life."

Confidentiality Dos and Don'ts

Dos

- Do safeguard the confidentiality of all person-identifiable or confidential information that you come into contact with. This is a statutory obligation on everyone volunteering/working on or behalf of York LGBT Forum.

- Do keep all portable records containing person-identifiable or confidential information in recognised filing and storage places that are locked at times when access is not directly controlled or supervised.
- Do ensure that you cannot be overheard when discussing confidential matters.
- Do challenge and verify where necessary the identity of any person who is making a request for person-identifiable or confidential information and ensure they have a need to know.
- Do share only the minimum information necessary.
- Do transfer person-identifiable or confidential information securely when necessary.
- Do seek advice if you need to share person-identifiable information without the consent of the identifiable person's consent, and record the decision and any action taken i.e. disclosure of confidential information if the person has put themselves at risk.
- Do report any actual or suspected breaches of confidentiality.

Don'ts

- Don't share passwords.
- Don't share information without the consent of the person to whom the information relates, unless there are statutory grounds to do so.
- Don't use person-identifiable information unless absolutely necessary, anonymise the information where possible.
- Don't collect, hold or process more information than you need, and do not keep it for longer than necessary.

Guidelines for Handling Confidential Information

General Principles

- **Safeguarding:** Ensure all person-identifiable or confidential information is protected at all times
- **Storage:** Keep records in secure, locked locations when not in use.
- **Communication:** Discuss confidential matters in private, ensuring you are not overheard.
- **Verification:** Confirm the identity of individuals requesting information and their need to know.
- **Minimal Disclosure:** Share only the necessary amount of information.

- **Secure Transfer:** Transfer information securely when required.
- **Seeking Consent:** Obtain written consent from the service user before sharing information, except in exceptional circumstances
- **Reporting Breaches:** Report any suspected or actual breaches of confidentiality immediately.

By adhering to these principles, the York LGBT Forum ensures the confidentiality and security of sensitive information, upholding legal standards and protecting the privacy of all individuals involved.