

Confidentiality and Data Protection Policy and Procedures

CC Housing Association Ltd:
Version: Draft Approved by the Board: TBC



CC Housing Ltd Company
Number 11980153

Policy Statement

CC Housing Management (CCHM) is committed to providing the best possible service, this includes a commitment to ensure that all personal information of its clients/employees/officers and representatives is handled fairly and lawfully with due regard to confidentiality and in accordance with the principles of the Data Protection Act 2018.

Confidentiality

CCHM has a policy of keeping all information regarding its clients/employees/officers and representatives however obtained, confidential.

The Duty of Confidence

- All employees/officers and representatives at CCHM have a duty of confidence to our clients and a duty to support professional ethical standards of confidentiality.
- Everyone working for or with CCHM who records or otherwise comes across information that can identify individual clients/employees/officers and representatives all have a personal duty of confidence to clients/employees/officers and representatives and to his/her employer and CCHM as an organisation.
- The duty of confidence is conferred by common law, statute, contract of employment, disciplinary codes and policies (of which this is one).

Confidential information

Confidential information is information entrusted by an individual in confidence, where there is a general obligation not to disclose that information without consent from the individual client/employee/officer or representative of CC Housing.

Confidential information may include personal information such as name, age, address, and personal circumstances, as well as sensitive personal

information regarding race, health, sexuality, etc.

Confidential information may be known or stored on any medium. Photographs, videos, etc are subject to the same requirements as information stored in support records, on a computer, or given verbally.

Information that identifies clients/employees/officers and representatives and/or individuals who have shared confidential information with a member/s of CCHM, personally is assumed to be confidential and should not be used unless necessary or where disclosure is required. Whenever possible, anonymous data-from which personal details have been removed and which therefore cannot identify the individual-should be used instead. Note however that even anonymous information can only be used for justified purposes

Awareness and compliance

- Everyone in CCHM must be aware of the importance of confidentiality. All employees/officers and representatives need to be aware of their responsibilities for safeguarding clients/employees/officers and representative's confidentiality and keeping information secure.
- Employees/officers and representatives must comply with the requirements of the by the Data Protection Act of 2018
 - Breaches of confidentiality are a serious matter. Non-compliance with this policy and code of conduct by any person: employee/officer and representative employed in any capacity, by CCHM may result in disciplinary action being taken. No member of CC Housing, employee/officer and representative shall knowingly misuse or disclose any information regarding clients/employees/officers and representatives or allow others to do so.
- This policy and accompanying guidelines are intended as an overview of the issues that you need to be aware of when dealing with clients/employees/officers and representatives' information. If you have further questions you should seek advice from the Service Manager.

Responsibilities

- The Service Manager is responsible for overseeing and advising on issues of clients/employees/officers and representatives' confidentiality for CCHM.
- The Service manager is responsible for ensuring that all staff, particularly, employees/officers and representatives, temporary staff, contractors and volunteers, know what is expected of them with respect to confidentiality and protecting information.
- Employees/officers and representatives are responsible for safeguarding the confidentiality of all personal information held by CCHM information regarding clients/employees/officers and representatives to which they have access, transmitted or recorded by any means.
- Individual employees/officers and representatives are personally responsible for any decision that they may make to pass on information.
- All employees/officers and representatives are responsible for adhering to the Data Protection Act 2018, and the Confidentiality Code of Conduct.

Acting on the duty of confidentiality

- No personal information, given or received in confidence, concerning clients/employees/officers and representatives of CCHM may be passed to anyone else without the consent of the provider of the information or their appointed representative. Regarding clients, this is usually the client but sometimes another person may be the source (e.g. relative or other key worker).

- No personal information, given or received in confidence for one purpose, may be used for a different purpose without the consent of the provider of the information.
- Clients are entitled to object to the use of their personal data for purposes other than their immediate support.
- The duty of confidentiality owed to a deceased resident should be viewed as being consistent with the rights of living individuals.
- The rules of disclosure must be followed whenever information is passed to another person or organisation.

Disclosing information

Personal information may only be passed to another person or organisation:

- With the consent of the individual the information pertains to
- Where it is disclosed in the best interests of the client
- On a "need to know" basis if the recipient: needs the information because they are directly involved in the residents support plan, or the use can be justified for the purposes described in the defined list of circumstances in the 'Disclosure on a need to know basis' section
- Informed consent must be obtained from the individual.
- Where disclosure is required by a court (or a court order)
- Where disclosure is required by statute (that is, by law)
- Where disclosure is made in the public interest as described in

the defined list of circumstances in 'Disclosure in the Public Interest'

- Where information is required by the police in conjunction with the prevention or detection of serious crime

Whistle blowing

If as a client/employee/officer or representative of CCHM you have any concerns about another employee/officer or representative of CCHM, you should feel that you can raise the matter with confidence, that it will be treated seriously and confidentially without fear of recrimination. You may need to support your concerns by divulging confidential information. In these circumstances, this will not be regarded as a breach of confidentiality.

This may be done informally, by discussion with the Service Manager, or through the Whistleblowing Procedure. Either way every effort will be made to ensure that the confidentiality of the complainant is maintained.

Also see full **Whistle blowing Procedure.**

Data Protection

The above policy assists CCHM to meet the requirements of the Data Protection Act 2018. The Act embraces all information whether stored in a manual or computerised database. It requires "appropriate" measures to be taken to ensure the security of information held. Key points are that:-

-)> Data should only be collected and stored with the knowledge and permission of the data subject
-)> The data should only be used for the purpose it was originally collected It should only contain the information necessary for the purpose it was

originally collected

It should be accurate

;... It should only be kept for as long as is necessary for the purpose for which it was collected

The data subject has the right to see any information held about them, however stored.

Security of Information

Hard copy of confidential information such as staff personnel files are kept in a locked filing cabinet and access is restricted to the Service Manager and staff of CCHM where access is necessary and relevant to their job role. In the event of the absence of the Data Protection Officer access approval may be delegated to another senior member of staff, Hard copy of payroll records are kept in the office of the Service Manager and staff of CC Housing where access is necessary and relevant to their job role, which is normally kept locked when not in use.

Information stored electronically which includes:

Payroll information for CCHM staff
Accounts and bookkeeping records

The above information is stored on computers with coded password access only. Only those officers who need access to the databases will be given the password. Information stored on removable devices will be stored in locked drawers when not in use.

Data Protection Statement

CCHM is committed to providing the best possible service to its clients/employees/officers and representatives whilst reducing the

bureaucracy needed to provide those services. This policy applies to all employees/officers and representatives and complies with the Data Protection Act 2018.

- We will hold the minimum personal data necessary to enable us to perform our functions. We will ensure that the information is accurate and up to date and any inaccuracies are corrected quickly.
- Personal data will be accurate in respect of matters of fact. Opinions will be carefully and professionally expressed.
- We will respond to and assist every request for access to data from clients/employees/officers and representatives of CCHM
- Personal data will be kept in an appropriately controlled and secure environment.
- Data sharing with external agencies will be the subject of a written agreement setting out the powers that permit the exercise, its scope and controls and agreed at the highest level.
- Data should only be used for the purpose for which it was intended unless the data subject is aware and has given consent to the data being shared or used for another purpose.
- All emails sent should comply with CCHM 'e' mail protocols, which in turn comply with the data protection act.
- Data containing information about third parties will be protected wherever possible and will not be disclosed unless the law dictates that it is necessary to do so. Every effort will be made to consult with the third party before any such disclosure is made.
- Any employee/officer and representative knowingly or recklessly breaching CCHM data protection policy will be subject to established disciplinary procedures.

- Due regard will be given to an individual's human rights irrespective of those stated in the data protection act.

To be reviewed

