

## Confidentiality Policy

### 1. Our Policy Statement

The Hamlet respects the privacy of all children, adults, their families and staff. We understand that personal information is confidential and that any unauthorised disclosure, made in any way, is a breach of contract and would contradict the belief of The Hamlet Charter of the individual's right to be safe and treated with dignity and respect.

### 2. Purpose of this policy and why we have it

Staff and volunteers working at The Hamlet will be privy to confidential information relating to children, adults, families, and staff across the charity. While this information may be written, in digital form or photographic and as such be subject to our Data Protection Policy, it may also be a professional or informal discussion, or a disclosure from an adult or child. This policy ensures that all staff, children, adults and volunteers understand the importance of respecting confidentiality so that everyone using and working or volunteering at The Hamlet can do so with confidence.

### 3. The scope of this policy

- Staff
- Volunteers
- Visiting Professionals
- Parents / Carers of Children,
- Children and adults with understanding of confidentiality
- Work placements

### 4. Policy

#### Written or digital data: access and storage

- Written and digital data is stored and retained as outlined in our Data Protection Policy.
- Access to any written or digital information concerning a child, adult, member of staff or volunteer may be accessed as described in our Data Protection Policy.
- Parents/carers cannot access files and records of any other child / adult.
- All information kept on individual children / adults will only be shared with other professionals with the parents'/carers'/ or young person (16 plus) with capacity's permission (except in the case of safeguarding concerns).

- Young people (16 plus) with capacity have the same entitlement to access their records as any adult.

### **Discussion, informal and formal meetings**

- Information is shared on a 'need to know' basis with staff and professionals involved in the care of the individual attending The Hamlet.
- Staff must not discuss individual children / adults with anyone outside of the workplace, unless it is in the context of a professional meeting.
- Staff may see or hear information regarding a child / adult, but this information will not be divulged outside of the setting. However, the law permits the disclosure of confidential information where this is necessary to safeguard the child or vulnerable adult.
- Staff will not discuss individual children / adults with parents / carers other than the parents/carers of that child / adult.
- Young people (16 plus) with capacity will be involved in discussions about who can discuss their information.
- Information given by parents/carers to staff will not be passed on to third parties without expressed permission.
- All meetings regarding Hamlet users are confidential and the content must never be shared verbally, on social media, digitally or in any format whatsoever.

### **Staff**

- Human Resources issues will remain confidential to the people involved. Information about individual members of staff will not be given out to anyone without permission of that person except in the case of safeguarding concerns.

### **Safeguarding**

- In the event of a disclosure by an adult or child the staff member or volunteer is required to report in line with the Safeguarding Children and Safeguarding Adult's procedures.
- Confidentiality cannot be promised in a safeguarding situation if the child / vulnerable adult is to be protected.
- Records are kept in line with the Safeguarding policies for Children and Adults.
- This policy should be read in conjunction with The Hamlet child and vulnerable adult safeguarding policies.

## **5. Implementation and monitoring**

- All staff and volunteers in the setting will be made aware of the importance of confidentiality of information and their responsibility as staff / volunteers at The Hamlet from the start of their employment or volunteering; through induction, ongoing training and development.

- All staff and volunteers have a personal liability to adhere to the rules set out by the General Data Protection Regulation (GDPR) and Data Protection Act. (see Data Protection Policy).
- Any breach of confidentiality will be regarded as a disciplinary matter.

#### **6. Legal references**

- Human Rights Act 1998: Article 8 of the Convention provides a right to respect for private and family life
- The Data Protection Act 2018
- General Data Protection Regulations 2018
- [Information Sharing 2018](#)

**This policy should be read in conjunction with other relevant Hamlet policies and accompanying procedures.**

**Date approved by the Board:** January 2021

**Date of next review:** January 2024

**Post holder(s) responsible for this policy:** Senior Managers / Chief Executive

**Signed by Chair of the Board of Trustees:**

