

FISH Volunteer Centre **CONFIDENTIALITY POLICY and PROCEDURES**

Introduction

1. FISH Volunteer Centre, is committed to ensuring that its Trustees, Volunteers and Staff respect the confidentiality of whatever personal information they may learn - by word of mouth, letters, e-mails or any other form of communication - about either Clients or each other as a result of their involvement with FISH Volunteer Centre.
2. A small amount of the personal information held within FISH Volunteer Centre will have been imparted as definitely being confidential; this should always be treated as such. But in most cases the recipient of the information at FISH Volunteer Centre will need to use his/her common sense and discretion to decide what should be treated as confidential. It may be necessary to discuss the matter with the Manager or Chairman before this decision is made.
3. There is a legislative background to confidentiality issues which FISH Volunteer Centre has taken into account in formulating this Policy.

2. Legislative Background

- The Human Rights Act 1998 guarantees respect for the privacy of a person's home and family life, including his/her correspondence.
- The Data Protection Act 1998 (DPA) ensures that information held about an identifiable person, both facts and opinions, cannot be used for purposes other than those for which it was originally supplied unless the person who is the subject of the information gives consent.
- There are exceptions to these Acts a) if appropriate sharing of otherwise confidential information is necessary to protect a child or a vulnerable adult from harm and b) in certain areas governed by anti-terrorist legislation.
- The FISH Volunteer Centre Trustees are legally responsible for ensuring that robust measures are in place to ensure that they, the Staff and the Volunteers are aware of the FISH Volunteer Centre Confidentiality Policy and Procedures and that they put them into practice.

Policy and Procedures:

1. Personal information imparted to anyone within FISH Volunteer Centre will be considered to be confidential a) if the provider of the information states it to be so and b) if the person receiving it at FISH Volunteer Centre, if necessary after discussion with the Manager or Chairman, considers it to be so.
2. Confidential information may be shared with others at FISH Volunteer Centre.
 - 2a. Staff may need to share confidential information about Volunteers and/or clients with each other, within the confines of the FISH Volunteer Centre office in order to best serve the client or Volunteer.
 - 2b. Staff may have to share information about clients with Volunteers, or about clients or volunteers with Trustees - but would only do so on a 'need-to-know' basis and with the agreement of the person who is the subject of the information.

3. Confidential information held within FISH Volunteer Centre will not be passed to Clients, or to any other person or authority, unless it is considered essential to do so and then only with the agreement of the subject of the information.
4. Confidential information may, on rare occasions, have to be passed by FISH Volunteer Centre without consent to an appropriate person or authority if failure to do so could risk significant harm occurring to an individual or group, e.g. child abuse, suicide, etc. (See section below)
5. Staff, Trustees and Volunteers should not discuss confidential information with anyone outside the context of the work of FISH Volunteer Centre even if it is presented anonymously.
6. All information held by FISH Volunteer Centre about its Staff, Trustees, Volunteers or Clients will be stored in a locked facility and not disclosed to enquirers without the agreement of the subject of the information.
7. Enquirers to FISH Volunteer Centre who are not yet registered with it should, if they ask about confidentiality, or if they seem about to disclose potentially confidential information, be told that FISH Volunteer Centre has a Confidentiality Policy. A standard statement (see Appendix for the wording) should be read or shown to them. Enquirers have the right to choose what information they share with FISH Volunteer Centre.
8. If an enquirer does not subsequently register with FISH Volunteer Centre, none of the details they have given about themselves should be retained by FISH Volunteer Centre, though some of it, with their consent, may need to be passed to other organisations with which FISH Volunteer Centre puts them in touch.
9. FISH Volunteer Centre will ensure that all Staff, Trustees and Volunteers are issued with a copy of this Policy and that they sign an agreement to adhere to its requirements. Registered Clients should also be routinely informed of the existence of the Policy.
10. The Policy should be shown to anyone outside FISH Volunteer Centre who wishes to see it.
11. Volunteers and Trustees in breach of this Policy may be asked by the Trustee Board to cease their role with FISH Volunteer Centre. In the case of Staff, a breach of the Policy will be treated as a disciplinary matter and appropriate action taken.
12. The working of the Policy will be monitored regularly and the Policy reviewed at least every five years.

Exceptions to the duty of Confidentiality:

Within the FISH Volunteer Centre context the most likely exceptions are likely to occur for information which

- a) raises concerns about the safety of a child or a vulnerable adult;
- b) suggests that a person may be actively suicidal, or in some other any form of danger;
- c) concerns an alleged crime or a substantial risk of one happening.

If in these or other situations covered by legislation, confidential information is to be passed on, the agreement of the Manager, or in her absence the Deputy Manager or the Chairman, should always be obtained first. The consent of the person giving the information should be obtained, but only if possible and appropriate.

To whom should the information be passed on?

- If the danger could be immediate, the Staff member, Volunteer or Trustee should contact the police by dialling 999.

- If the danger is not immediate but child abuse is a possibility, the appropriate social worker should be contacted urgently, usually through one of the FISH Volunteer Centre Staff members.
- If the danger is to a vulnerable adult but is not immediate, a Staff member should be involved and act in accordance with the FISH Volunteer Centre Policy on Safeguarding Vulnerable Adults.
- If the information concerns an alleged crime, or risk of a crime being committed, the Police should be contacted, usually by a FISH Volunteer Centre Staff member.

If in any doubt, Volunteers should discuss their concerns with a FISH Volunteer Centre Staff member.

The Trustees of FISH Volunteer Centre adopted this Confidentiality Policy on 25th April 2019 to be reviewed in two years.

APPENDIX to CONFIDENTIALITY POLICY and PROCEDURES

Statement on Confidentiality for showing or reading to enquirers:

FISH Volunteer Centre offers a confidential service. This means that usually, anything you tell the person from FISH Volunteer Centre will be kept private. But sometimes it may be necessary for FISH Volunteer Centre to 'break confidentiality' – this means to pass on the information to someone in a position of authority. This is very rare and only has to be done if what you tell us suggests that someone may be in any form of danger and needs help. Only the person or persons who need to know will be told.