

CONFIDENTIALITY AND DATA PROTECTION POLICY

Introduction

The Family Centre (Deaf Children) wishes our members and users to view us as a trustworthy organisation that ensures that:

- Confidentiality is maintained for children and families.
- Personal information about children, families, professionals, staff, trustees, sessional workers and volunteers is stored securely and kept confidential.
- The principles of The Data Protection Act are followed.

All information, whether spoken or written, is covered by this policy.

For the Key Definitions of the Data Protection Act can be found in “The Guide to Data Protection” on the Information Commissioner’s Office.

https://ico.org.uk/media/for-organisations/documents/1607/the_guide_to_data_protection.pdf

A hard copy is filed with this policy.

This policy applies equally to permanent staff, temporary staff, sessional workers, volunteers and trustees.

The policy also covers information about The Family Centre (Deaf Children)’s business which will be considered confidential.

Data Protection Principles

The Family Centre (Deaf Children) complies with the principles of the Data Protection Act for all personal information it handles. The eight principles are:

1. Personal data shall be processed fairly and lawfully
2. Personal data shall be obtained only for one or more specified lawful purposes, and shall not be further processed in any matter incompatible with that purpose or those purposes
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed
4. Personal data shall be accurate and, where necessary, kept up to date
5. Personal data processed for any purpose or purposes shall not be kept for any longer than necessary for that purpose or those purposes.
6. Personal data shall be processed in accordance with the rights of data subjects under the Data Protection Act
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Principle 1

Personal data shall be processed fairly and lawfully

The Family Centre (Deaf Children) only processes personal data that is necessary to run the organisation and provide services. Members and professionals will be told what data we will process, and how we will use this, at the time they register with us, and this will be confirmed to new members in their welcome pack. A statement regarding the use of member's personal data is also on our website.

We will not use personal data unlawfully.

Principle 2

Personal data shall be obtained only for one or more specified lawful purposes, and shall not be further processed in any matter incompatible with that purpose or those purposes

Personal data may be collected for the following purposes:

- Membership administration
- Staff and volunteer recruitment (including DBS checks – formerly CRB checks)
- Staff and volunteer management
- Fundraising
- Promoting the charity's activities
- Planning services
- Evaluating services
- Providing services
- Governance

In all cases consent must be obtained for the purpose(s) for which the information is being taken.

Principle 3

Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed

Data will only be collected that is necessary to the purpose(s) outlined above. Once that data has been processed and is no longer necessary, it will be destroyed appropriately.

Principle 4

Personal data shall be accurate and, where necessary, kept up to date.

Databases and manual records will be kept as up-to-date as possible – all incorrect details will be removed. Members are regularly asked to update their information if it has changed. Any member that has not accessed services, other than receiving the newsletter, will be contacted after one year has elapsed to update their information.

Principle 5

Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.

Personal information will not be kept for longer than is necessary. For example:

- Information on job applicants will be destroyed 6 months following a successful appointment
- The bulk of information relating to past employees/volunteers/trustees will be destroyed on

their departure, except for their basic contact details and a copy of their job description, which will be permanently archived.

- Personal information relating to purchases/sales/fundraising/Gift Aid will be archived for accounting purposes for 7 years.
- Information relating to grants from Big Lottery Fund will be retained for 7 years after the end of the contract.
- Any member that has not accessed services, other than receiving the newsletter, will be contacted after one year has elapsed to confirm they wish to remain on the membership database. If they cannot be contacted they will be deleted.
- For monitoring and reporting purposes we need to retain records of attendance at activities, even if the member has since left. Therefore the event attendance record will be retained and it comprises – name, age (children), deaf/hearing, local authority.

Principle 6

Personal data shall be processed in accordance with the rights of data subjects under this Act.

All data subjects (i.e. those from whom information is taken) have the right to access the information that is held on them. A request can be made to the Centre Manager at any time.

Principle 7

Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.

All manual records containing personal data are kept securely locked away.

Paper records containing personal data will be shredded when no longer needed

Computerised records (databases and word processed documents) are securely stored with personal details kept on limited access password protected computers or files.

Computerised data will be kept secure in accordance with the IT Policy which forms part of the staff handbook.

No personal data will be sent by email. Where it is necessary to send information by email it should be either :

- i) sent as a password protected attachment.
- ii) be sent in the body of the email, but not have any information that will allow the individual concerned to be identified.

Doors will be locked to rooms where such records are held.

Principle 8

Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

In no circumstances should personal data be taken or sent to a non EU country.

Data Protection notification

The Family Centre (Deaf Children) as an organisation is recognised as a data controller as specified in the 1998 Data Protection Act. It handles both manual and computerized personal data which are covered by the Act. Therefore it is essential that procedures are in place to ensure that the organisation complies with the current data protection legislation.

The Family Centre (Deaf Children)'s data processing is exempt from compulsory notification to the Information Commissioner's Office. This will be reviewed should any significant changes take place in the charity's activities, or the information that is stored.

The requirement to register has been checked using the following link in February 2015.

<https://ico.org.uk/for-organisations/register/self-assessment/>

Personal information about The Family Centre (Deaf Children)'s workers

The Family Centre (Deaf Children) maintains a contact database for all staff, sessional workers, volunteers and trustees with their home address, email, phone numbers and an emergency contact. This database is password protected and only accessible to permanent staff.

Personal contact details will not be handed out to service users, or any other party, without the prior permission of the individual.

References are only taken up with the permission of the prospective employee/volunteer/sessional worker/trustee. Once received, they will be retained for 1 year after which they will be destroyed.

Staff appraisals will be kept securely and accessible only to the member of staff being appraised and their manager. These can only be shared further with the consent of the staff member or for the purposes of a disciplinary/capability proceeding.

Records of disciplinary proceedings will be kept confidential and for no longer than necessary.

Personal information about service users

The Family Centre (Deaf Children) provides services to professionals and families.

We maintain a database of contact details for professionals comprising information provided by the individual on a database registration form, or information that is in the public domain.

We maintain a family database of members and other registered families. This contains contact information as well as personal details such as dates of birth, level of hearing, child's school and any additional needs for the child/young person family. This information is either obtained when a family completes a registration form or when they provide us with details verbally or by email. We will also record observations about the support needs and/or behaviour of children/young people, especially those that attend services without their parent/carer present. We only record personal information that is relevant to service provision.

Family Registration and Professional Registration forms contain a statement about how we use their information, and this is repeated on the membership page on our website.

New families receive a welcome pack with an expanded explanation of why we collect personal information and how we use that.

No information about a family member can be shared outside the organisation in any circumstances without the consent of the individual. Professional's details will only be shared with that person's consent, or if the information is available in the public domain.

There are special considerations for young people that attend the youth club as the funder, Bristol City Council, require us to share a considerable amount of personal data as part of the reporting process. The parent/carer of these young people are sent a separate BYL Consent Form to complete and have the option to give or withhold consent for information sharing.

Confidential Information

Staff, trustees, sessional workers and volunteers will have access to information which is not covered by the Data Protection Act but is still considered to be confidential.

Examples are:

- Financial information
- Details of funding
- Business planning
- Security information

The Family Centre (Deaf Children) will make it clear which information is confidential, but also expects that staff, trustees, sessional workers and volunteers will not discuss any sensitive information outside the organisation. If there is any doubt about whether information is confidential this should be discussed with the Centre Manager or the trustees.

The Family Centre (Deaf Children) regularly uses English/BSL sign language interpreters who may be present at meetings or other occasions where confidential information is discussed. We only use interpreters that are registered with National Register of Communication Professionals for Deafblind (NRCPD) and are bound by their professional code of conduct, which includes confidentiality.

Breaking confidentiality

In rare circumstances it may be necessary for The Family Centre (Deaf Children) to break confidentiality for example:

- In cases where child abuse is suspected and withholding information would have a negative effect on the welfare of the child/young person
- Where we are required by law

It is a criminal offence to knowingly or recklessly access data that you are not authorised to access or to allow another person unauthorised access. The Family Centre (Deaf Children) will take any breaches of confidentiality seriously and will consider if disciplinary procedures are appropriate.