



Confidentiality Policy

1. General Principles

- a. Churches Together in Milton Keynes Trust (hereafter called “CTMKT” or “the Trust”) recognises that employees, volunteers and trustees gain information about individuals and organisations during the course of their work or activities. In most cases such information will not be stated as confidential, and colleagues may have to exercise common sense and discretion in identifying whether information is expected to be confidential. This policy aims to give guidance, but if in doubt, the line manager should be consulted for advice.
- b. Colleagues are able to share information with their line manager in order to discuss issues and seek advice.
- c. Colleagues should avoid exchanging personal information or comments (gossip) about individuals with whom they have a professional relationship.
- d. It is not appropriate to discuss a person’s sexuality (i.e. ‘outing’ a gay person) without their prior consent.
- e. Colleagues should avoid talking about organisations or individuals in social settings.
- f. Information given to staff members or volunteers acting on behalf of CTMKT is considered to be given to CTMKT as an agency rather than to the individual staff member or volunteer. In order to give the best possible service to users of CTMKT, it is sometimes desirable to share information with other colleagues in the organisation.
- f. Constructive liaison with other agencies is sometimes essential if individuals and groups are to be offered an effective service by CTMKT. However, confidential matters must not be discussed outside CTMKT without the prior permission of the individual or organisation.
- g. Where there is a legal duty requiring CTMKT to disclose information, the person to whom the confidentiality is owed will be informed that disclosure has or will be made.

2. Why Information is Held

- a. Most information held by CTMKT relates to voluntary and community organisations, self help groups, volunteers, employees, Trustees, or services which support or fund them. Information may therefore be kept to enable CTMKT to understand the history and activities of organisations, in order to deliver the most appropriate services.
- b. CTMKT has a role in putting people in touch with voluntary and community organisations, and therefore keeps contact details which are passed on to any enquirer, except where the group or organisation expressly requests that the details remain confidential.
- c. Information about the ethnicity and disability of users is only kept for the purposes of ensuring compliance with equal opportunities legislation, and also for reporting back to funders.

3. Access to Information

- a. Information is confidential to CTMKT as an organisation, but may be passed to colleagues, line managers or Trustees to ensure the best quality service for users. b. Where information is sensitive, i.e. it involves disputes or legal issues, it will be confidential to the employee dealing with the case and their line manager. Such information should be clearly labelled 'Confidential' and should state the names of the colleagues entitled to access the information and the name of the individual or group who may request access to the information.
- b. Colleagues will not withhold information from their line manager unless it is purely personal.
- c. Users may have sight of CTMKT records held in their name or that of their organisation. The request must be made in writing to the CTMKT Office, giving 14 days' notice and be signed by the individual, or in the case of an organisation's records, by the Chair or other designated person. Sensitive information as outlined in para 3.b. will only be made available to the person or organisation named on the file.
- d. When photocopying or working on confidential documents, colleagues must ensure they are not seen by people in passing. This also applies to information on computer screens.

4. Storing Information

- a. CTMKT keeps non-confidential information using paper files and computers. Confidential information is maintained with an appropriate level of security in accordance with the Data Protection Act and this policy, which will adequately protect information about individuals that is held in the systems.
- b. Information about volunteers and other individuals will be kept by the colleague directly responsible. These colleagues must ensure line managers know how to gain access.
- c. Employees' personnel information will be kept in locked filing cabinets and will only be accessible to the Chair, or those who are entitled to see it as part of their duties.
- d. In an emergency situation, the Chair may authorise other people to access files.

5. Duty to Disclose Information

- a. There is a legal duty to disclose some information including:
 - i. Child abuse, which will be reported to the Children, Schools and Families Department;
 - ii. Drug trafficking, money laundering, and acts of terrorism or treason, which will be disclosed to the police.
- b. In addition, a colleague believing an illegal act has taken place, or that a user is at risk of harming themselves or others, must report this to the Chair, who will report it to the appropriate authorities.
- c. Users should be informed of legal disclosures.

6. Disclosures

- a. CTMKT complies fully with the CRB Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information.
- b. Disclosure information is always kept separately from an applicant's personnel file in secure storage with access limited to those who are entitled to see it as part of their duties. It is a **criminal offence** to pass this information to anyone who is not entitled to receive it.
- c. Documents will be kept for a year and then destroyed by secure means. Photocopies will not be kept. However, CTMKT may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure, and the details of the recruitment decision taken.

7. Breach of Confidentiality

- a. Employees who are dissatisfied with the conduct or actions of other colleagues or CTMKT should raise this with their line manager using the grievance procedure if necessary, and not discuss their dissatisfaction outside CTMKT.
- b. Colleagues accessing unauthorised files or breaching confidentiality will face disciplinary action. Ex-employees breaching confidentiality may face legal action.

This policy should be read in conjunction with the following policy:

- **Whistle-blowing Policy.**