

OCD Youth confidentiality policy

1. GENERAL PRINCIPLES

OCD Action recognises that colleagues (employees, volunteers, trustees & others who work within our organisation) gain information about individuals and organisations during the course of their OCD Youth 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, seek advice from your line manager.

- 1.1 Information received by OCD Action as part of the OCD Youth programme, will be considered to be information for OCD Action to share with colleagues and use to deliver its aims and objectives.
- 1.2 Groups, organisations and individuals being asked for information should be informed of why such information is required and the purpose of storing and using this information. Their permission should be sought to keep and use this information
- 1.3 Volunteers are able to share information with their line manager in order to discuss issues and seek advice. Staff and volunteers will not disclose to anyone, other than their line manager, any information considered sensitive, personal, financial or private without the knowledge or consent of the individual, or an officer, in the case of an organisation
- 1.4 Volunteers should avoid exchanging personal information or comments (gossip) about individuals with whom they have a professional relationship.
- 1.5 Volunteers should avoid talking about organisations or individuals in social settings.
- 1.6 There may be circumstance where volunteers would want to discuss difficult situations with each other to gain a wider perspective on how to approach a problem.
- 1.7 If volunteers receive information from individuals outside OCD Action regarding the conduct of a volunteer or group, then this should be dealt with sensitively. They should be told about the Complaint Procedure and advised accordingly.
- 1.8 If volunteers are dissatisfied with the conduct of a volunteer or staff member, and have sensitive information that could be evidenced through investigation, they should discuss it with the appropriate line manager under the Complaints Procedure. If a volunteer makes an allegation found to be malicious, or ill-founded, they may face disciplinary action.
- 1.9 Where there is a legal duty on OCD Action to disclose information, the person that is affected will be informed that disclosure has or will be made.

2. WHY INFORMATION IS HELD

- 2.1 Most information held by OCD Action relates to Individuals or service users, members, employees, trustees, and volunteers.
- 2.2 Information is kept to enable OCD Action colleagues to understand the needs of individuals or service users in order to deliver the most appropriate services.
- 2.3 Information about users may be kept for the purposes of monitoring our equal opportunities policy and also for reporting back to funders.

3. ACCESS TO INFORMATION

- 3.1 Information is confidential to OCD Action as an organisation and may be passed to colleagues, line managers or trustees to ensure the best quality service for users.
- 3.2 Where information is sensitive, i.e. it involves disputes or legal issues, it will be confidential to the individual 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.

- 3.3 Volunteers will not withhold information from their line manager unless it is purely personal to them and not business related.
- 3.4 Users may see OCD Action records which relate to them or their organisation. The request must be in writing to the Director giving 14 days' notice. The letter must be signed by the individual, or in the case of an organisation's records, by the Chair or Director.
- 3.5 Sensitive information as outlined in point 3.2 will only be made available to the person or organisation named on the file.
- 3.6 Volunteers may see all of their records by giving 14 days' notice in writing to the Director.
- 3.7 When photocopying or working on confidential documents, volunteers must ensure they are not seen by people in passing. This also applies to information on computer screens.

4. STORING INFORMATION

- 4.1 General non-confidential information about organisations is kept in unlocked filing cabinets that are available to all OCD Action colleagues.
- 4.2 Information about volunteers, interns and other individuals will be kept in filing cabinets by the colleague directly responsible.
- 4.3 In an emergency situation, the Director may authorise access to files by other people.
- 4.4 Ensure confidential documentation or personal data is shredded before putting in the recycling bins.

5. DUTY TO DISCLOSE INFORMATION

- 5.1 OCD Action has a legal duty to disclose some information including:
 - 5.1.1 Child abuse will be reported to the Children's Services / Social Services Department
 - 5.1.2 Drug trafficking, money laundering, acts of terrorism or treason will be disclosed to the police.
- 5.2 In addition volunteers believing an illegal act has taken place, or that a user is at risk of harming themselves or others, must report this to the Youth and Young Adults Manager or Director who will report it to the child protection lead and/or appropriate authorities.
- 5.3 OCD Action should inform the users of this disclosure.

6. DISCLOSURES

- 6.1 OCD Action complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information.
- 6.2 OCD Action will request pre-employment Disclosure and Barring Service (DBS) checks for new employees and volunteers whose posts involve contact with vulnerable children or adults.
- 6.3 OCD Action will clearly state the need for Disclosure on the role description.
- 6.4 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.
- 6.5 Documents will be kept for a year and then destroyed by secure means. Photocopies will not be kept. However, OCD Action may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, and the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.

7. DATA PROTECTION ACT

- 7.1 Information about individuals, whether on computer or on paper, falls within the scope of the Data Protection Act and must comply with the data protection principles.

These are that personal data must be:

- Obtained and processed fairly and lawfully
- Held only for specified purposes
- Adequate, relevant and not excessive
- Accurate and up to date
- Not kept longer than necessary
- Processed in accordance with the Act
- Kept secure and protected
- Not transferred out of Europe

7.2 OCD Action will ensure that it complies with all aspects of the Data Protection Act. Please refer to OCD Action Data Protection Policy for detailed information on how we will do this.

8. BREACH OF CONFIDENTIALITY

- 8.1 Colleagues who are dissatisfied with the conduct or actions of other colleagues or OCD Action should raise this with their line manager using the complaints procedure, if necessary, and not discuss their dissatisfaction outside OCD Action.
- 8.2 Colleagues accessing unauthorised files or breaching confidentiality may face disciplinary action. Ex-employees breaching confidentiality may face legal action.

9. WHISTLEBLOWING

- 9.1 Any colleagues who have concerns about any practice by any OCD Action employee must comply with the requirements of the Complaints Policy.