

# Hurstpierpoint Gymnastics Club

## Confidentiality Policy

### 1 General principles

Hurstpierpoint Gymnastics Club recognises that staff, volunteers and trustees may 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, seek advice from your Lead Coach.

Colleagues are able to share information with their coaches in order to discuss issues and seek advice.

Colleagues will avoid exchanging personal information or comments about individuals with whom they have a professional relationship.

Talking about the private life of a colleague is to be avoided at all times, unless the colleague in question has instigated the conversation.

Information must not be divulged to another agency or person without the consent of the informant. The only exception is where there is clear evidence of misconduct, serious danger to the staff member or other persons in the community. Such information should then only be divulged after discussion with a lead coach. Any disclosure of such confidential information must remain limited to the strict needs of the situation at the time.

### 2 Why information is held

Most information held by Hurstpierpoint Gymnastics Club relates to individuals and organisations which support or fund them.

Information is kept to enable Hurstpierpoint Gymnastics Club to understand the history and activities of organisations in order to deliver the most appropriate services.

Information about ethnicity and disability of users is not kept.

### 3 Data Protection Act 2018

The General Data Protection Regulations are concerned with respecting the rights of individuals when processing their personal information. This can be achieved by being open and honest with employees about the use of information about them and by following good data handling procedures. The act is mandatory and all organisations that hold or process personal data must comply. The Data Protection Act contains 8 principles:

- personal data should be processed fairly and lawfully
- data should be obtained only for one or more specified and lawful purposes
- the data should be adequate, relevant and not excessive
- it should be accurate and where necessary kept up to date
- any data should not be kept for longer than necessary
- personal data should be processed in accordance with the individuals rights under the act
- data should be kept secure
- personal data should not be transferred outside the European Economic Areas unless the country offers adequate data protection.

All staff have a responsibilities under the Act to ensure that their activities comply with the Data Protection Principles. Assistant coaches have responsibility for the type of personal data they collect and how they use it. Staff should not disclose personal data outside the organisation's procedures, or use personal data held on others for their own purposes.

#### **4 Access to information**

Information is confidential to Hurstpierpoint Gymnastics Club and may be passed to colleagues, & coaches to ensure the best quality service for users.

Where information is sensitive, i.e. it involves disputes or legal issues, it will be confidential to the employee dealing with the case and the Management. 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.

Colleagues will not withhold information from their Lead Coach unless it is purely personal.

Workers have a legal right to access information that an employer may hold on them. This could include information regarding any grievances or disciplinary action, or information obtained through monitoring processes. Arrangements should be in place to deal with requests as a 40 day time limit is stipulated. Information can be withheld if releasing it would make it more difficult to detect crime or the information is about national security. If an employee feels the organisation has misused information or hasn't kept it secure they can contact the Information Commissioner's Office.

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.

Confidential interviews must not be held in places where they can be overheard. No-one should be asked to give personal information in, for example, a hall, over a counter or in a place such as a passage or stairs where it may be overheard by others.

#### **5 Storing information**

General non-confidential information is kept in unlocked filing cabinets with open access to all colleagues.

Information about individuals will be kept in locked filing cabinets by the colleague directly responsible. These colleagues must ensure coaches know how to gain access. Employees' personnel information will be kept in lockable filing cabinets by the Lead Coach.

Files or filing cabinet drawers bearing confidential information should be labelled 'confidential'.

Access to confidential electronic information will be restricted and only accessible to the colleague/s directly responsible.

All portable devices (such as laptops, tablets, USB drives) should be encrypted or password protected.

In an emergency situation, the Lead Coach may authorise access to files by other people. Confidential information and/or personal data should be disposed of appropriately (e.g. shredded).

## **6 Duty to disclose information**

There is a legal duty to disclose some information including:

- Child abuse or abuse of a vulnerable adult will be reported to the Local Authority's Social Services Department
- Drug trafficking, money laundering, acts of terrorism or treason will be disclosed to the police.

In addition colleagues believing an illegal act has taken place, or that a user is at risk of harming themselves or others, must report this to the DMS who will report it to the appropriate authorities.

Users should be informed of this disclosure.

## **7 Disclosures**

Hurstpierpoint Gymnastics Club complies fully with the DBS Code of practice regarding the correct handling, use, storage, retention and disposal of Disclosure information.

Employers are no longer sent a separate copy of an applicant's DBS disclosure, although they will need to request to see a copy from the applicant. The organisation/employer 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.

Any information recorded must be kept 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.

## **8 Breach of confidentiality**

Employees who are dissatisfied with the conduct or actions of other colleagues or with Hurstpierpoint Gymnastics Club should raise this with the Lead Coach using the grievance procedure, if necessary, and not discuss their dissatisfaction outside Hurstpierpoint Gymnastics Club.

Colleagues accessing unauthorised files or breaching confidentiality may face disciplinary action. Ex-employees breaching confidentiality may face legal action.

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