



# Confidentiality Policy

## Policy Statement

Confidential information is information that is not normally in the public domain or readily available from another source, it may have a degree of sensitivity and be subject to a duty of confidence. A duty of confidence arises when one person provides information to another in circumstances where it is reasonable to expect that the information will be held in confidence. At Rotherfield St Martin staff, trustees and volunteers can be said to have a 'confidential relationship' with members and their families. It is our intention to respect the privacy of our members, their families and carers and to that aim we ensure that members and their families and any volunteers can share information with us in the confidence that it will only be used to enhance the welfare of an older person. We also hold internal documents for the purpose of the day to day running of the charity, which if shared with staff, trustees or volunteers are deemed to be automatically confidential. We have record keeping systems in place that meet current legal requirements, within the framework of the General Data Protection Regulations (2018) and The Human Rights Act (1998).

## Confidentiality Procedures:

We always check whether information shared with us is confidential or not.

Written information such as that provided on membership forms shall be kept confidential, only being accessed by staff/volunteers for the purpose of fulfilling their roles. Written information is kept on password protected computers and locked filing cabinets.

Information will be kept confidential unless a vulnerable adult is at risk of being harmed or is being harmed, in which case we will share information with an appropriate professional body such as Adult Social Services.

Some members or their families share information freely with others, in this instance RSM cannot be held responsible if this information becomes public.

We keep a safeguarding file to record information about vulnerable members so that we can look for trends or make referrals to Adult Social Services.

Our discussions with other professionals take place within a professional framework and not on an informal basis. If third parties share information with us, we check if the information is confidential.

Other members/members of the community often ask after members welfare. In that instance we will only share information that is in the public domain and thank them for their concern.

### **Members access to their own records procedure**

Members may request access to any written information that we hold on file about them. We will respond to this request in writing. Our acknowledgement allows one month for the file of information to be made ready and available. We will extend this up to a further 2 months where requests are complex and numerous. We will always explain in writing why the extension is necessary. The Charity Manager will check files to ensure that all documents are filed correctly, that entries are in date order and that there are no missing pages. They will note any information which mentions a third party. All third parties will be written to advising that a request for disclosure has been received and asking for their written permission to disclose to the person requesting it. Copies of all correspondence will be put on file.

The law requires that information that we hold must be held for a legitimate reason and must be accurate. If the member tells us that any information is inaccurate, they have the right to request that it is changed (this only pertains to factual inaccuracies).

Legal advice may be sought before sharing a file, especially where the member has possible grounds for litigation against the charity or a third party.

Telephone advice regarding general queries may be made to the ICO helpline 0303 123 1113.

Our commitments:

This policy was written by	Charity Manager – Vicky Cheeseman
Adopted by	Trustees
Date	29/7/2019
Last Reviewed	6 <sup>th</sup> April 2023 -Sarah Jones 5 <sup>th</sup> July 2024 – Vicky Cheeseman
Review date	5 <sup>th</sup> July 2025