

## Confidentiality Policy

### 1. General principles

Poppleton Community Railway Nursery recognises that colleagues: members, 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, seek advice from the management committee.

- Colleagues are able to share information with their line manager 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.
- Colleagues will avoid talking about organisations or individuals in social settings.
- Colleagues 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.
- There may be circumstances where colleagues would want to discuss difficult situations with each other to gain a wider perspective on how to approach a problem. The organisation's consent must be sought before discussing the situation, unless the colleague is convinced beyond doubt that the organisation would not object to this. Alternatively, a discussion may take place with names or identifying information remaining confidential.
- Where there is a legal duty on Poppleton Community Railway Nursery 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

- Most information held by Poppleton Community Railway Nursery relates to individuals, voluntary and community organisations, self-help groups, volunteers, students, employees, trustees or services which support or fund them.
- Information is kept to enable Poppleton Community Railway Nursery colleagues to understand the history and activities of individuals or organisations in order to deliver the most appropriate services.
- Poppleton Community Railway Nursery has a role in putting people in touch with voluntary and community organisations and keeps contact details which are passed on to any enquirer, except where the group or organisation expressly requests that the details remain confidential.

### **3. Access to information**

- Information is confidential to Poppleton Community Railway Nursery as an organisation and may be passed to colleagues, nursery manager, management committee member or trustees 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 colleague 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.
- Colleagues will not withhold information from their line manager unless it is purely personal.
- Users may have sight of Poppleton Community Railway Nursery records held in their name or that of their organisation. The request must be in writing to the trustees/management committee giving 14 days' notice and be signed by the individual. Sensitive information as outlined above will only be made available to the person or organisation named on the file.
- Colleagues may have sight of their personnel records by giving 14 days' notice in writing to the trustees/management committee.
- When photocopying or working on confidential documents, colleagues must ensure people passing do not see them. This also applies to information on computer screens.

### **4. Storing information**

- General non-confidential information about organisations is kept in unlocked filing cabinets and in computer files with open access to all Poppleton Community Railway Nursery colleagues if needed.
- Personnel information on employees, volunteers, students and other individuals working within Poppleton Community Railway Nursery will be kept in lockable filing cabinets and/or password protected computer files and will be accessible to Trustees and members/volunteers who have a responsibility for updating or editing this information.
- Files or filing cabinet drawers bearing confidential information should be labelled 'confidential'.
- In an emergency situation, the trustees/management committee may authorise access to files by other people.

### **5. Duty to disclose information**

There is a legal duty to disclose some information including:

- Abuse of vulnerable adults will be reported to the Social Services Department
- Drug trafficking, money laundering or acts of terrorism will be disclosed to the police.
- Colleagues who believe that an illegal act has taken place, or that a user is at risk of harming themselves or others, must report this to the trustees/management committee who will report it to the appropriate authorities.
- Users should be informed of this disclosure.

### **6. Disclosures**

- Poppleton Community Railway Nursery complies fully with the DBS regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information.
- 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.

- Documents will be kept for a year and then destroyed by secure means. Photocopies will not be kept. However, Poppleton Community Railway Nursery 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. Data Protection Act (see Data Protection Policy)**

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

I.e. All data held on record, whether manually or on computer will:

- Only be maintained for fair and legal use in relation to the activities of PCRN.
- Only be collected with the explicit consent of the individuals concerned.
- Be held only for the period of time required by the organisation or for which the information is applicable. However, where long term retention is required for legal reasons or insurance purposes, documents will be securely archived.
- Be information freely given for the purpose stated at the time of being recorded.
- Be adequate, relevant and not excessive for the purpose for which it is to be used.
- Be accurate and kept up to date, being checked from time to time, at least once every 2 years, by an officer of PCRN chosen for that purpose.
- Be removed when any individual sends a written request to Company Secretary asking for their details to be deleted.
- Be available for an individual to see their own individual records.
- Be kept by the officers in a confidential and secure manner.
- Not be shared with any other party, except where legitimate request is made by the police or other legal entity, or where the individual has given their consent (e.g. a newsletter via Mailchimp).

## **8. Breach of confidentiality**

- Employees who are dissatisfied with the conduct or actions of other colleagues or Poppleton Community Railway Nursery should raise this with their line manager using the complaints procedure, if necessary, and not discuss their dissatisfaction outside Poppleton Community Railway Nursery.
- Colleagues accessing unauthorised files or breaching confidentially may face disciplinary action.

**Review Date: May 2022**