

Confidentiality and Data Protection Policy



Confidentiality and Data Protection guidelines

Keynsham Town Council Youth Service recognises that staff, contractors, volunteers, councillors and others who work within our organisation gain information about individuals and organisations during their work or activities. In most cases, such information will not be stated as confidential, and we may have to exercise common sense and discretion in identifying whether the information is expected to be confidential.

Keynsham Town Council Youth Service is committed to ensuring that any personal information which is provided to us in the course of our work will be processed and stored in accordance with the Data Protection Act.

In this policy, confidentiality covers these two areas.

Confidentiality: This covers all information, including personal information about participants, staff, contractors or volunteers, information about the organisation, for example, its plans or finances and information about other organisations regardless of whether the information is recorded.

Data protection: This covers only personal information recorded, regardless of whether it is in electronic or manual format.

Information received by Keynsham Town Council Youth Service, as part of the services it provides, will be considered to be information for Keynsham Town Council to share with colleagues and used to deliver its aims and objectives.

All staff, contractors and volunteers should inform groups, organisations or individuals why they are requesting information and explain the purpose of storing and using this information. They should obtain permission to keep and use this information and make a note of it.

Staff, contractors, and volunteers may share information with their Line Manager to discuss issues and seek advice. Still, they must not disclose to anyone other than their line manager or the town clerk any information deemed sensitive, personal, financial, or private without the knowledge or consent of the individual in question.

Staff, contractors and volunteers should avoid exchanging personal information or comments (gossip) about individuals with whom they have a professional relationship.

Staff, contractors and volunteers should avoid talking about organisations or individuals in social settings.

In certain circumstances, it may be appropriate for colleagues to discuss difficult situations with each other to gain a wider perspective on how to approach a problem.

If staff, contractors, or volunteers receive information about a colleague's or group's behaviour from individuals outside Keynsham Youth Service it should be handled sensitively. The Town Clerk, youth leader or the appropriate staff member should inform and advise the individual about the Complaint Procedure accordingly.

If employees are dissatisfied with the conduct of a colleague and have sensitive information that could be evidenced through investigation, they should discuss it with the appropriate line manager. Any allegation which is found to be malicious or ill-founded will be dealt with by Keynsham Town Council under the Disciplinary Procedure.

Where there is a legal duty on Keynsham Town Council Youth Service to disclose information, the individual that is affected will be informed that disclosure has or will be made.

Why information is held.

Most information held by Keynsham Town Council Youth Service relates to participants, staff, contractors, directors, and volunteers.

Information is kept enabling Youth Work staff to understand the needs of participants in order to deliver the most appropriate services.

Information about participants may be kept for the purposes of monitoring our equal opportunities policy and also for reporting back to funders.

Data protection principles

The organisation is committed to processing data in accordance with its responsibilities under the GDPR.

Article 5 of the GDPR sets out seven key principles requiring that personal data shall be: processed lawfully, fairly and in a transparent manner in relation to individuals.

collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes.

adequate, relevant and limited to what is necessary for relation to the purposes for which they are processed.

accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that inaccurate personal data, having regard to the purposes for which they are processed, are erased or rectified without delay.

kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to the implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and

processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and accidental loss, destruction or damage, using appropriate technical or organisational measures.”

The controller shall be responsible for and be able to demonstrate compliance with section 3.1 ('accountability').

The law

Access to information

Information is confidential to Keynsham Town Council as an organisation and may be passed to colleagues, Managers or councillors to ensure the best service for participants.

Sensitive information involving disputes or legal issues will be confidential to the staff member dealing with the case and the Town Clerk.

Staff members, contractors and volunteers will not withhold information from the Town Clerk unless it is purely personal to them and not business related.

Participant access to files

Participants may see Youth Service records which relate to them, but only the information about themselves. The letter must be signed by the individual.

The records must be provided 'promptly' and, in any event, within 40 days.

Staff/contractor/volunteer access to records

Staff/contractor/volunteer may see all of their personnel records by giving 14 days' notice in writing to the Town Clerk. The letter must be signed by the individual.

Storing information

The majority of personal information stored on participants will be kept on Keynsham Town Councils secure database.

Additional confidential information will be kept in locked cabinets, and in the case of electronic records, password protected.

Keynsham Town Council will ensure that only authorised people have access to confidential records.

Duty to disclose information. Keynsham Youth Service has a legal duty to disclose some information, including:

Child abuse

Drug trafficking, money laundering, acts of terrorism or treason and other criminal activities.

Note: If the information relates to an adult safeguarding issue, then there is no duty to disclose unless the consent of the person at risk has been obtained except where:

The person at risk lacks the mental capacity to make a decision. A risk assessment indicates that referral would be in their best interests.

Others may be at risk.

A crime has been committed.

Disclosures

Keynsham Youth Service will request pre-employment Disclosure and Barring Service (DBS) checks for new staff, contractors and volunteers whose posts involve contact with vulnerable adults and children who will comply fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information.

Breach of confidentiality

Staff, contractors and volunteers who are dissatisfied with the conduct or actions of other colleagues or Keynsham Youth Service should raise this with the Town Clerk as a grievance if necessary and not discuss their dissatisfaction outside Keynsham Town Council.

Staff, contractors and volunteers accessing unauthorised files or breaching confidentiality may face disciplinary action. Staff, contractors and volunteers breaching confidentiality may face legal action.

Further Information

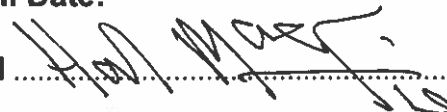
The Information Commissioner's Office has a guide to Data Protection. See <https://ico.org.uk/for-organisations/guide-to-data-protection/>

Amendment History

Paragraph	Detail	Committee or Town Council	Approval date
Original	Initial version	F & Policy Committee	9 th January 2024
Original	Adopted	Town Council	16 th January 2024
Review due		January 2026	

Approved by Town

Council Date: 16th January 2024

Signed  Chair of Council

Signed  Town Clerk