DATA SHARING AND CONFIDENTIALITY POLICY

Policy Title	**Data Sharing and Confidentiality Policy**
Policy Review Date	
Policy Reviewed by	

This policy relates to staff and volunteers of Phoenix Rising

INTRODUCTION

Everyone involved with Phoenix Rising is entitled to confidentiality. Aspects of confidentiality will be found in other policies and all our staff and volunteers are expected to work within them. Young people have the right to confidentiality.

Your attention is drawn to the confidential nature of information contained within Phoenix Rising. The unauthorised use and disclosure of any personal information about individuals, any financial or other personal information is gross misconduct and a dismissible offence. It is also a requirement following termination of the contract, whether you resign or are dismissed by Phoenix Rising that confidentiality be maintained. In the case of computerised information, breach of confidentiality could result in a prosecution for an offence or action for civil damages under the Data Protection Act 1984.

The restrictions on the employee's use of confidential information shall not apply to:

1. Confidential information which comes into the public domain other than in consequences of his/her unlawful disclosure
2. Any protected disclosure made in accordance with s.43A of the Employment Rights Act 1996
3. Any information which the employee has acquired other than through the performance of Phoenix Rising
4. Any information which is required to be disclosed by the employees by order of a court of competent jurisdiction or/and appropriate regulatory authority or otherwise required by law

GOSSIP

Phoenix Rising believes in mutual respect and equality. We abhor gossip in any form that damages individuals or is disrespectful. Employees should not involve themselves in any form of gossip with other employees, volunteers, service users or members of the public.

Some one may want to talk to you in private. Any conversations that take place in a mentoring/counselling session should be registered as completely private. What is shared with you must not be passed on, except in certain circumstances:

1. CHILD PROTECTION

If any information is disclosed during the session that indicates a child/ young person is being abused, or is abusing others, the Child Protection Procedures should be enacted:

Tell the person in charge of your session and the Safeguarding coordinator

'Abuse' covers neglect, as well as sexual, physical and emotional abuse (for types of abuse see the Safeguarding and Child protection Policy. If at all possible, you should inform the child/young person as directly and openly as you are able, of your intentions. For more information see our Safeguarding and Child Protection Policy.

2. CRIME

Provided it is not a safety issue, or a requirement of Law Court, disclosure of offending (either past or present) need not be passed on. However, neither should it be condoned. Encouragement and support should be given to encourage a change of behaviour. Information about serious offending, where anyone's personal safety is at risk should be passed on to your manager/leader and the police. Again, if at all possible, keep the person informed of your intentions.

If the police visit the project, asking for confidential information, refer them to your manager/leader.

Safeguarding vulnerable adults

If you have any concerns about a vulnerable adult, through what they have told you then you should pass this information to your manager/leader and follow the Safeguarding Vulnerable Adults policy.

It is important that both staff and volunteers feel supported in their role in Phoenix Rising. Managers/leaders should be informed of anything with regards to service users that there may be concerns about. Service users should always be clear that managers/leaders may need to be informed of certain situations. This would not be necessarily shared across the team – this decision would be made by the manager/leader. If you have any worries or concerns only share initially with your manager/leader.

SUPERVISION

During supervision and group discussions, you will discuss your experiences of working with Phoenix Rising. Every effort should be made to preserve the anonymity of any person being discussed. If you do become aware of who the person is, you must respect their right to privacy. All supervision/support meetings remain confidential between the supervisee and supervisor although, if relevant, information may be discussed with the supervisor's line manager.

REFERRALS

If you want to refer anyone to another organisation, you should only do so with the knowledge and consent of the person. Preferably, the person should self- refer, with your support.

RECORD KEEPING

Any written records concerning staff, volunteers or service users are the property of Phoenix Rising and should be locked away.

Mentoring/counselling records should be kept in a secure filing system, and given a number code, and should be written anonymously. The only person with full access to these records is the person responsible for this work or equivalent.

Records should not be kept at home but returned to the relevant filing system as soon as possible. Everyone has the right to see their own files at any time.

Complete anonymity must be preserved in cases being submitted in portfolios for training and assessment purposes.

If you are being asked about any service user from someone outside Phoenix Rising, you should give no information without permission from the manager/leader responsible for your Phoenix Rising organisation. The person responsible will only give information on a need to know basis.

THE GENERAL DATA PROTECTION REGULATION (GDPR) MAY 2018 UNDERLYING PRINCIPLES

The law is complex but there are a number of underlying principles, including that personal date:

1. Will be processed lawfully and transparently
2. Is only used for a specific processing purpose that the data subject has been made aware of and no other, without further consent
3. Collected on a data subject should be adequate, relevant and limited i.e only the minimum amount of data should be kept for specific processing
4. Must be accurate and where necessary kept up to date
5. Should not be stored for longer than necessary, and that storage is safe and secure

Phoenix Rising should have as Data Privacy Notice that is available to view

IN OUR POLICIES:

'Board' refers to the Boards, committees or legal entities that govern the Phoenix Rising organisation.

'Manager/leader' refers to people who are in charge of various activities across the Phoenix Rising organisations. They may be paid staff or volunteer