



**Mental Health and
Emotional Wellbeing
Service for Children
and Young People**

Confidentiality & Disclosure Policy

Implementation Date: May 2014

Reviewed: April 2023

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Background

The aim of this policy is to set out clearly for staff, volunteers, sessional staff and others with whom CHUMS may interact as to how confidential information will be managed. Confidentiality is integral to the trust between service users and CHUMS staff (inclusive of volunteers and sessional staff). Without an agreement of confidentiality, service users may be reluctant to engage with the service or disclose information required for CHUMS to provide effective care.

All staff, volunteers and sessional staff are expected to abide by this policy. CHUMS is committed to maintaining high standards of confidentiality in all aspects of its work. This includes records and information pertaining to staff, volunteers, sessional workers, children, young people and their families. Any breaches of this policy may give rise to disciplinary action in the case of staff and termination of placement in the case of volunteers.

All staff are responsible for ensuring the preservation of confidentiality, integrity and accessibility of data. This responsibility includes service user information, which must be kept confidential unless disclosure has been expressly authorised in advance by the Governance Lead or Operational Director.

All staff must ensure they are familiar with and comply with this policy which should be read in conjunction with all policies relating to Information Governance, Data Protection and Records Management.

All staff, volunteers and sessional staff are expected to adhere to the principle that anything disclosed by a child, young person or their family, remains confidential and should not be discussed with anyone not directly involved. Disclosure of any confidential information to any unauthorised third party, misuse and/or failure to properly maintain and safeguard confidential service user information will be regarded as a serious disciplinary offence.

Safeguarding issues should always be discussed with the Safeguarding Lead and the CHUMS Safeguarding Children's Policy guidelines should be followed. All staff and volunteers receive relevant safeguarding children training as part of the induction process.

All children, young people and their families have a right to the same level of confidentiality irrespective of difference, as outlined in the Equality and Diversity policy.

Photographs, video and audio recordings of children, young people and their families should not be taken without signed consent.

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In cases where there may be concerns relating to abuse or neglect or risk of significant harm, the safeguarding policy will apply. Confidential information may be shared when essential for the safety of service users and for the general public.

The sharing of confidential information may occur if:

- CHUMS has received an information sharing request from the police, social care or as a court order
- the service user has given consent for the information to be shared (or a person with parental responsibility has given consent on behalf of their child, where the child does not have capacity to give consent)
- the need to safeguard and protect an individual or member of the public from significant harm outweighs the benefit of maintaining confidentiality
- sharing this information is in the public's interest, for example when relating to issues around crime or public safety.

Staff, Volunteers & Sessional Staff

All staff (including sessional staff) and volunteers will follow procedures for enhanced DBS clearance prior to undertaking work with the service. Individual work with children is not permitted unless full clearance has been given.

Unless previously authorised a request for staff, volunteers or sessional staff home address, telephone number or email address will always be referred to the individual before any information is disclosed.

Staff members, volunteers or sessional staff should not divulge others' personal circumstances or information without permission.

All information relating to staff, volunteers, sessional staff, children, young people and their families will be stored in a locked drawer, cabinet or container; all computer records will be protected and accessible only to relevant staff.

In order to comply with the above, if notes on children and young people are removed from the office, they must be kept in a lockable bag or box outside of the office. These should be kept in the boot of cars whilst travelling and in a suitable safe place in the home.

Any verbal discussion relating to personal information should take place in an appropriate and confidential venue.

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Procedure

All staff, volunteers and sessional staff must complete and sign a confidentiality statement as part of the induction process (appendix A).

As well as client information, confidentiality also applies to all staff records including application forms, interview records, occupational health information and any other information stored in personal records. When seeking references for a new member of staff, volunteer or sessional staff, it must be clear to the referees that information is sought in confidence.

All personal information is protected under the Data Protection Act 2018 and General Data Protection Regulations (GDPR)

Personal information will be archived when a staff member, volunteer or sessional member of staff has left CHUMS.

CHUMS will endeavour to provide all partnership agencies with a copy of the confidentiality policy.

Disclosure Barring Service (DBS)

As an organisation CHUMS uses the Disclosure Barring Service (DBS) to help assess the suitability of applicants for positions within the organisation, CHUMS complies fully with the DBS Code of Practice regarding the handling, use, storage, retention and disposal of disclosures and disclosure information. No staff members, sessional staff, or volunteers, are permitted to work with children on an individual basis without DBS clearance, which is renewed every three years. CHUMS also complies fully with its obligations under the Data Protection Act 2018 and General Data Protection Regulations (GDPR) and other legislation pertaining to the safe handling, use, storage, retention and disposal of disclosure information.

Disclosure information is kept securely in electronic format with access strictly controlled to those who are entitled to view it as part of their duties. In accordance with Section 124 of the Police Act 1997, disclosure information is only passed to those who are authorised to receive it in the course of their duties.

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.



Appendix A

Confidentiality Statement

During your work for CHUMS you will obtain knowledge and sensitive information about the families that we support.

There is an obligation to regard these matters as confidential. Information relating to families may only be disclosed with the permission of the CEO.

All written information that is retained by you at home should be kept in a safe place and returned to the office.

Should you become aware that a child, young person, or family is known to you in a non-professional capacity, it is your responsibility to make this known to your manager and any subsequent discussion should cease.

Agreement

I have read and understood the Confidentiality Statement and agree to abide by the procedure:

Name: _____

Signature: _____

Date: _____

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Governance Committee Authorisation

Signature*

Name Print Dee Hogman

Position/Role: Interim Chair of Governance Committee, Head of Quality

Date: May 2023 (ratified by email via Committee members)

Date of review: May 2026

*Authorised signatory must be the chair (or deputising chair) of Governance Committee