

# Confidentiality Policy – General

## POLICY STATEMENT

### Confidential Information

Confidential information means personal communication or information relating to an organisation's business that is unknown to the public and only shared between a few people. This information comes into the possession of the Organisation through its work.

Common examples of confidential information include, but are not limited to, the following.

- Unpublished financial information.
- Customer lists and data.
- Intellectual property, such as patents, formulas and new technologies.
- Data from external parties.
- Business and product information, such as pricing, marketing and other strategies.
- Documents marked confidential.
- Unpublished goals and forecasts marked confidential.

Heydays Care and Support Services holds personal data about its staff, service users and relatives details, which will only be used for the purposes for which it was gathered and will not be disclosed to anyone outside of Heydays Care and Support Services without prior permission in accordance with the Data Protection Act 2018.

### Obligations on Employees

- All confidential information should be locked or secured at all times. It should not be taken outside Heydays Care and Support Services premises.

- All paper-based and electronic data should be stored in accordance with the principles and guidance of the Data Protection Act 2018.
- Information should only be disclosed to others when authorised by senior management.
- Confidential information should not be used for personal profit or benefit.
- Confidential information must not be replicated and stored on insecure devices.
- These restrictions will continue to apply even after the employee has stopped working for Heydays Care and Support Services.

All personal data will be dealt with sensitively and in the strictest confidence internally and externally.

### **Breaches of Confidentiality**

Heydays Care and Support Services recognises that occasions may arise where individual workers feel they need to breach confidentiality. Confidential or sensitive information relating to an individual may be divulged where there is risk of danger to the individual, a employee, or the public at large, or where it is against the law to withhold it. For example, information may be divulged to external agencies such as the police or social services. Where a worker/employee feels confidentiality should be breached, they should raise the matter immediately with their Line Manager who will discuss the options available and decide whether confidentiality should be breached.

The duty of confidentiality is always subject to the legal requirements of the Public Disclosure (“Whistleblowing”) Act 1998, provided any disclosure is made in accordance with the provisions of this Act.

### **Consequences of Wilful Breach**

An employee or worker who wilfully breaches these confidentiality guidelines will face disciplinary action under Heydays Care and Support Services disciplinary procedures. The breach or breaches may constitute potential gross misconduct which may result in dismissal and legal action.

The policy is binding on individuals even after they have left Heydays Care and Support Services employment.

### **Training and Review**

All existing and new employees and workers will be made aware of this confidentiality policy through induction and further training.

### **Legislative Framework**

Heydays Care and Support Services will monitor this policy to ensure it meets statutory and legal requirements including the Data Protection Act 2018, and the General Data Protection Regulation, the Public Disclosure Act 1996, the Employment Rights Act 1996, the Children's Act 2004, the Rehabilitation of Offenders Act 1974 and the Prevention of Terrorism Act 2005. Training on the policy will include these aspects.