

# THE WHEELS PROJECT

31 - 32 Bonville Road

Brislington

BRISTOL BS4 5QH

Registered Charity No: 1081236

## CONFIDENTIALITY POLICY

### 1 REASONS FOR A CONFIDENTIALITY POLICY

This policy should be seen as an integral part of ensuring that The Wheels Project provides a safe environment where individuals are treated with respect. The main reasons for producing a policy are:

- to comply with legislation.
- to provide practical guidelines.
- to protect people who benefit from The Wheels Project's services, staff, trustees and volunteers.

### 2 PURPOSE

The purpose of this policy is to detail the basic standards that staff, trustees and volunteers should adhere to and which can be incorporated as part of normal working practice.

### 3 LEGAL CONTEXT

- The Human Rights Act 1998 guarantees respect for a person's private and family life, home and correspondence.
- The Data Protection Act 1998 (DPA) concerns personal information, which includes facts and opinions about an individual which might identify them. The DPA ensures that information held about any person cannot be used for purposes other than those for which it was originally supplied, without the person's consent. Exceptions to these Acts are allowed where this is necessary to protect a vulnerable person from harm.
- Some restricted and specific areas of legislation over-ride the Human Rights Act and the Data Protection Act, for example, in the area of suspected terrorist activity or over specific safeguarding concerns.
- Trustees are legally responsible for all the activities of The Wheels Project's staff and volunteers and may ask for information at any time to ensure that agreed policies are being implemented. Trustees are not entitled to an individual's personal information.

### 4 IMPLEMENTATION

The Wheels Project will ensure that all staff, trustees and volunteers are issued with this policy. Volunteers should be aware of the remit and contact details for The Wheels Project's Data Protection Officer (*General Manager*) and Database Administrator to whom they should report any concerns regarding confidentiality. This policy will be reviewed regularly.

## 5 CONFIDENTIALITY IN PRACTICE

The vast majority of enquiries can be treated in strict confidence. It is not necessary to inform all enquirers of the confidentiality policy as a matter of course, as to do so may be off-putting to those simply seeking information.

However, should the enquirer ask about confidentiality, or indicate that they are about to disclose information of a sensitive and serious nature, they should be made aware of The Wheels Project's policy statement on confidentiality. The following easy to read phone statement should be read out in these circumstances:

'The Wheels Project offers a confidential service. This means that usually anything you tell the person from The Wheels Project will be kept private. But sometimes I may have to 'break confidentiality' – this means telling someone in a position of authority. This is very rare. I only have to do this if someone is in danger and needs help. I will only tell the people who need to know.'

Callers have the right to decide what information they choose to share with The Wheels Project. Cases should not be discussed in any out-of-work context, even when the enquirer cannot be identified.

No attempt should be made to retain an enquirer's contact details other than for sending information that has been requested. As soon as the requested information is sent all identifying information must be destroyed. If details need to be sent to the enquirer, eg membership forms, the contact details should be written directly on an envelope for mailing to prevent accidental retention of personal information. Occasionally more than one person will contact The Wheels Project regarding a third party. This is not cause for an exception to the general principles of confidentiality set out in this policy. No personal details of any member of staff, trustee or volunteer will be disclosed without their agreement.

Permission must be gained from The Wheels Project's Data Protection Officer or The Wheels Project's Database Administrator to ensure DP compliance before publishing case studies (eg for training or information materials). Alternatively, fabricated case studies may be used for these purposes, but in either case details must be sufficiently disguised that the original enquirer cannot be identified. Contact details are:

Data Protection Officer: [david@wheelsproject.org.uk](mailto:david@wheelsproject.org.uk)

Database Administrator : [office@wheelsproject.org.uk](mailto:office@wheelsproject.org.uk)

## 6 INFORMING SERVICE USERS OF THE CONFIDENTIALITY POLICY

Any user of the service can see a copy of the Confidentiality Policy and our Privacy Policy on the website ([www.wheelsproject.org.uk](http://www.wheelsproject.org.uk)). Enquirers can obtain a paper copy of these policies by sending a self-addressed envelope to The Wheels Project Ltd, 31-32 Bonville Road, Brislington, Bristol BS4 5QH. These can be sent on a larger font on request.

## **7 EXCEPTIONS TO CONFIDENTIALITY**

The only exceptions to complete confidentiality are when:

- the enquirer describes a situation which raises concerns about the safety of a child or vulnerable adult.
- the enquirer is in immediate danger, e.g. suicidal.
- the enquirer discloses information about an alleged crime or discloses information that an alleged crime is going to happen.

In the case of concerns about a child or vulnerable adult in immediate danger, or an enquirer who is in immediate danger themselves, the enquirer must call the police by dialling 111 immediately.

In all other cases of concerns about children or vulnerable adults, the enquirer must contact the First Response helpline or their local safeguarding children's board and explain the information they have received and follow the advice they are given. If you are unsure about phoning First Response or the authorities you can call The Wheels Project's Designated Safeguarding lead (*General Manager*) who will help you decide what course of action to take.

Any information about any crime or criminal activity must be passed on to the police. In an emergency situation the enquirer should contact the police and then notify The Wheels Project's Data Protection Officer of The Wheels Project's Database Administrator as soon as possible. In all other situations The Wheels Project's Data Protection Officer or Database Administrator should be notified first that an outside service will be contacted, giving details of the situation without identifying information unless absolutely necessary.

## **8 UNAUTHORISED BREACHES OF CONFIDENTIALITY**

Enquirers who breach these guidelines by communication, dissemination or solicitation of non-essential and/or identifying information about current or former staff, trustees, volunteers, members of enquirers in any way other than authorised above may be asked to cease their role within The Wheels Project.