

Confidentiality and Data Protection Policy

1. General Principles

- 1.1. All organisations and individuals in contact with the Forum have a right to assume that sensitive information, or information that could be reasonably be construed as sensitive, will be treated in confidence within the Forum and will not be passed on without their consent.
- 1.2. Information given in confidence should only be used for the purpose for which it was given. Information that could compromise the safety or right to privacy of individuals will normally not be disclosed by the Forum.
- 1.3. Sensitive information includes
 - 1.3.1. information about a living and identifiable individual's personal circumstances, age, gender, geographical location, ethnicity, health, disability, political opinions, and religious belief
 - 1.3.2. information relating to actual or potential disputes, and actual or potential commercial or contractual agreements
- 1.4. Consent means that:
 - 1.4.1. the organisation or individual has given their explicit consent (in writing or electronically, or verbally and then confirmed in writing or electronically by the Forum), or
 - 1.4.2. the organisation or individual has deliberately made public the sensitive information.
- 1.5. However the Forum has a duty to disclose certain information, including:
 - 1.5.1. information about actual or suspected abuse of children or vulnerable adults to social services or the police
 - 1.5.2. where the law requires, for example to a court or a regulatory body, or concerning acts which could be construed as terrorism, treason, drug trafficking or money laundering
 - 1.5.3. under a contractual duty, for example information about users (organisations and individuals) of Forum services to relevant funders and their auditors. In these circumstances the Forum will clearly indicate to the user, in advance of providing the service, the nature of the information that will be disclosed and to whom
 - 1.5.4. to the Forum's auditors to ensure a satisfactory audit of the Forum's financial affairs

- 1.6. All organisations and individuals have the right to see, having given adequate notice and under supervision, all information which relates to them. This includes computerised and hard copy materials.
- 1.7. Information about living and identifiable individuals whether on computers or on paper falls within the scope of the Data Protection Act and must comply with the data protection principles. These are that personal data must be:
 - 1.7.1. Obtained and processed fairly and lawfully
 - 1.7.2. Held only for specified purposes
 - 1.7.3. Adequate, relevant and not excessive
 - 1.7.4. Accurate and up to date
 - 1.7.5. Not kept longer than necessary
 - 1.7.6. Processed in accordance with the Act
 - 1.7.7. Kept secure and protected
 - 1.7.8. Not transferred to countries without adequate data protection

2. Information held by the Forum

- 2.1. Information held by the Forum relates to voluntary and community organisations, other organisations (including those in the public and private sectors) and individuals (including volunteers, students, employees, trustees, trainers and consultants) which support, assist, provide services to, work within or alongside, or fund voluntary and community organisations.
- 2.2. Some information is kept to enable the Forum staff to understand the history, activities and views of users (organisations and individuals) in order to deliver the most appropriate and highest quality services.
- 2.3. The Forum also has a role in putting individuals and organisations in touch with other individuals and organisations, and keeps contact details which may be passed on to any enquirer except where the organisation or individual expressly requests that the details remain confidential.
- 2.4. Information about age, gender, geographical location, ethnicity and disability of users is kept for the purposes of monitoring our equal opportunities policy and for reporting back to funders.
- 2.5. The Forum also holds personnel information about its staff (including volunteers, students and secondees) and trustees – current, past and potential. Information about age, gender, geographical location, ethnicity and disability of staff and trustees is kept for the purposes of monitoring our equal opportunities policy.

3. Access to information

- 3.1. Information is confidential to the Forum as an organisation. Forum staff work as a team and as such, liaise and share information about organisations and individuals. They also keep records, monitoring data and mailing lists relating to their work to ensure the most appropriate and highest quality services for users (organisations and individuals).

- 3.2. Forum staff will not withhold information from their line manager or the Executive.
- 3.3. Where information is sensitive, it will be confidential to the Forum staff dealing with the situation, their line manager and the Chief Executive. Such information should be clearly labelled confidential.
- 3.4. Users (organisations and individuals) may have sight of the Forum records about them. The request must be in writing to the Chief Executive giving 28 days notice and be signed by the individual or, in the case of an organisation's records, by the Chair or Chief Executive of the organisation. Access will not be given in respect of information that was clearly provided in confidence to the Forum.
- 3.5. Forum staff may have sight of their personnel records by giving 14 days notice in writing to the Chief Executive. Access will not be given in respect of information that was clearly provided in confidence to the Forum.
- 3.6. When working on or photocopying confidential information, staff must ensure, as far as is reasonably practical in an open plan office, that it is not seen by people passing. This also applies to information on computer screens. Particular efforts must be made to ensure that confidential information is not seen by people who are not Forum staff.

4. Personnel records

- 4.1. The names and post held within the Forum of staff (including employees, students and secondees) is considered to be in the public domain and may be made freely available in any format to anyone.
- 4.2. The names, nominating organisation and post held within the Forum of trustees - and people seeking election or nomination as trustees – is considered to be in the public domain and may be made freely available in any format to anyone.
- 4.3. The information provided by trustees and staff as part of the Register of interests is considered to be in the public domain and may be made freely available in any format to anyone.
- 4.4. The address, telephone number, fax number, and email address of Trustees shall be made available to staff and trustees only and only for the purpose of making contact in furtherance of the Forum's governance.
- 4.5. The home and mobile telephone numbers of staff are confidential but shall be made available to all staff for the purpose of making contact in an emergency or urgent work related matter.
- 4.6. All material in respect of all candidates, other than the successful candidate, gained during the selection of staff is confidential and shall be retained for twelve months after the effective start date of the staff member or volunteer, at which point it shall be destroyed

- 4.7. All information required for the purposes of payroll is confidential and made available only to the Treasurer of the Board of Trustees, the Chief Executive and the staff managing the payroll (as designated by the Chief Executive).
- 4.8. All other information within personnel records is confidential and can only be made available to the Chair of the Board of Trustees, the Chief Executive, or appointed deputies and relevant line manager.

5. Databases of organisations and other contacts

- 5.1. Data about individuals (including those who are contacts for organisations) shall be confined to contact details and information directly relevant to the reason for their inclusion on the database (for example that they are an employee of an organisation or they are participating in a training programme). Other information about organisations may be held provided this is not personal data.
- 5.2. Data about individuals/organisations shall be deleted on the request of the individual/organisation when the data is no longer used or required by the Forum for legal, financial or contractual reasons.
- 5.3. Data about individuals/organisations shall only be used by the Forum for:
 - 5.3.1. circulating Forum publications (which could include advertising), information about the Forum and its work, via regular mailings to all on that particular database.
 - 5.3.2. direct marketing of Forum training, events or services to selected individuals/organisations, unless the individual/ organisation has opted out of receiving direct marketing.
 - 5.3.3. providing contact details for a specified organisation or holder of public office when requested, unless that individual/organisation has requested that all or some of the contact details not be made available outside the Forum.
 - 5.3.4. circulating information or direct marketing on behalf of another body where this has been specifically approved by the Chief Executive on the grounds that it will potentially be of benefit to organisations and/or the Forum's charitable objects, unless the individual/organisation has requested that all or some of the contact details not be made available outside the Forum. This use could include circulating information about an event or service, or seeking responses to a consultation. Data about individuals/organisations would not be made available to the other body. Generally a charge would be made, at the discretion of the Chief Executive.
 - 5.3.5. any other reason which has been specifically agreed with that individual/organisation in advance.

- 5.4. Data about individuals/organisations shall not be:
- 5.4.1. used for publication in any format of a directory, without the written consent of the individual/organisation
 - 5.4.2. made available to anyone outside the Forum for the purposes of circulating information or direct marketing
- 5.5. At least once a year the following statement shall be circulated to all on the database (for example within the Forum's newsletter):
- "The Forum maintains a database of contacts for the purpose of circulating [named publication] (which could include advertising) and other general material of benefit to voluntary and community organisations and/or the Forum's charitable objects. If you wish us to delete you from this database please write to us.
 - We use the database for direct marketing of Forum training, events or services to selected individuals/organisations. If you do not wish us to send you selected information or material in the future please write to us.
 - We receive requests from individuals or organisations wanting to make contact with specific organisations or holders of public office. We will only provide the contact name and contact details. If you do not wish us to provide all or any part of this information to anyone outside the Forum please write to us indicating which information you do not want to be made available outside the Forum.
 - We receive requests to circulate material on behalf of another body. This could be an invitation to respond to a public consultation, information about an event or service organised by a voluntary organisation or public body, or something similar. If the Forum feels this circulation would be appropriate, the Forum would undertake the circulation itself, normally for a charge. The database would not be made available to the other body. If you do not wish us to send you such material on behalf of other bodies please write to us.
 - We publish paper and web based directories of voluntary, community and other organisations. Organisations are only included if they have specifically given agreement. If you do not wish to be included in a directory please write to us.
 - If you would like us to send you a copy of the information that we hold about you please write to us."
- 5.6. All new entrants to the database will be required to sign a consent form indicating their acceptance and understanding of the policy for the databases.

6. Conference and training bookings

- 6.1. Information about a participant's special needs is sensitive information. Provision of information about participants to other participants (eg list of participants) could be considered to be disclosure.
- 6.2. All booking forms will contain the following statement:
 - "Information that you provide in connection with this booking will be used only to facilitate this training or event. It will not be disclosed outside our organisation, except where necessary in order to facilitate this training or event. Participants may be given a list of participants' names, organisations and email addresses, but no further details. If you wish to receive information in the future about other Forum training, events or services please ask to be included in our main database."

7. Storing Information

- 7.1. General non-sensitive information about organisations is kept in unlocked filing cabinets or computer files with open access to all Forum staff.
- 7.2. Files or computer files containing sensitive information about individuals/organisations will be labelled confidential and kept in locked filing cabinets or password protected computer files, accessible to relevant staff, relevant line manager, the Chief Executive and, if appropriate, the Finance Officer.
- 7.3. In an emergency situation, the Chief Executive may authorise access to files by other people.

8. Data Protection Act

- 8.1. The Forum will fulfil its legal obligations under the Data Protection Act, including notifying (registering with) the Information Commissioner.

9. Breach of Confidentiality

- 9.1. Staff who are dissatisfied with the conduct or actions of other staff or the Forum should raise this with their line manager or the Chief Executive, using the grievance procedure if necessary, and not discuss their dissatisfaction outside the Forum.
- 9.2. Staff accessing unauthorised files or breaching confidentiality may face disciplinary action. Ex-staff breaching confidentiality may face legal action.
- 9.3. Users (organisations or individuals) who are dissatisfied with the conduct or actions of staff or the Forum should raise this with the Chief Executive, using the complaints procedure if necessary

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