



## Data Protection and Confidentiality

### Data Protection

#### Introduction

Acknowledging Youths CIC needs to process information about employees, organisations and individuals who use our services. When we process information, we need to keep to the terms of the Data Protection Act 1998. In particular, we need to make sure that we process information in line with eight principles of data protection described in the Act. (The eight principles are listed on the next page).

The Data Protection Acts sets limits on the way we collect, store and use information. The Act controls how we:

- File information
- Access information
- Pass information on to other organisation and individuals; and
- How and when we destroy information we are storing

The Act says that people have a right to access any information that we hold about them. This includes employees, Acknowledging Youths CIC members and people who use our services. The Act says that we have to respond to requests for access to information with 40 calendar days.

Acknowledging Youths CIC's responsibilities:



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Registered Community Interest Company No. 7912772 | ASDAN Centre Number 34218

UK Registrar of Learning Providers (UKPRN) 10036705

Pimlico Resource Centre, Walston House, Aylesford Street, London SW1V 3RL

- Acknowledging Youths CIC wants to protect the right of individuals to privacy
- We will respect the privacy of individuals when processing personal information
- We will take appropriate measures to make sure that the data we hold is stored securely
- The Acknowledging Youths CIC Trustee Board has overall responsibility for making sure that Acknowledging Youths CIC meets the terms of the Data Protection Act
- Acknowledging Youths CIC management staff have a responsibility to make sure that staff process information in line with the terms of the Act

### **Staff responsibilities**

- Staff are responsible for the security of the information they process
- Staff must not pass on information to anyone who is not entitled to it
- Staff should make sure that any information they give to Acknowledging Youths CIC about their employment is accurate and up to date.

### **Right of access**

Acknowledging Youths CIC employees, members and people who use our services have the right to access personal information Acknowledging Youths CIC holds about them, whether in electronic or paper form.

People who want to access information held about them should contact the Acknowledging Youths CIC information and communication worker.

More information about individuals' right of access is available in Appendix 2.

### **The eight principles of data protection**

The Data Protection Act states that anyone who processes personal information must comply with eight principles. These state that information must be:

Fairly and lawfully processed

Processed for limited purposes



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Adequate, relevant and not excessive

Accurate and up to date

Not kept for longer than is necessary

Processed in line with individuals' rights

Not transferred to other countries without adequate protection

### [APPENDIX 1: Being open about how we will use information that individuals/organisations give us](#)

The Data Protection Act says that we need to explain to people how we will use the personal information they give us. Acknowledging Youths CIC also desires to be clear about how we will use organisational information that is supplied.

The following statement is a general explanation of how Acknowledging Youths CIC will use information. This statement should be included on all forms, surveys, questionnaires and other documents where we ask for personal information.

If we are collecting information for a purpose that isn't included in this statement, we should amend the statement to make our full purpose clear.

#### **How we use the information your give us**

Information you give Acknowledging Youths CIC will be used by us and our agents to tell you about Acknowledging Youths CIC services, and to give you information on issues relevant to the voluntary sector in Westminster. Acknowledging Youths CIC will communicate with you by telephone, letter and emails or in any other reasonable way. You can ask for a copy of the information we hold about you and your organisation and, if the information isn't correct, you can ask us to correct it. If you do not want to receive letters, emails and telephone calls from us in the future, please tell us in writing.

Your organisation's name and the contact details you give us will be added to a directory of voluntary and community groups in Westminster. This directory is accessible to the public, and to other voluntary organisations. If you do not want your organisation to be included in the directory please tell us in writing.



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Acknowledging Youths CIC may pass on details of your organisation's postal address to other voluntary and community organisation or to local statutory organisations. We will never pass your contact details on to salespeople or to private organisations. If you do not want us to pass on your organisation's postal address, please let us know in writing.

If you have any questions about how Acknowledging Youths CIC will use information about your organisation, please phone.

### [APPENDIX 2: Dealing with disclosure](#)

The Data Protection Act gives people rights to access personal information that organisations hold about them. This guidance explains what rights people have and what our responsibilities are.

People have the right to know if we process (collect, store and use) their personal information.

People can ask us to tell them:

- What kinds of personal information we process
- How we use personal information
- Who we pass personal information on to and in what circumstances

People can also ask for a copy of the information records we hold about them, and for us to explain where we got our information from.

If people want to get a copy of the information records we hold about them, they need to ask us in writing. We have to respond to written requests within 40 days.

An individual only has the right to see personal information we hold about them personally – no one can ask to see another person's information/ If someone asks for a copy of their information record we need to check that they are the person the record is about.



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In some situations, by giving out information about one person, we may also give out information that makes other people personally identifiable. For example, our training records might show the names of everyone who attended a training course on a particular date. The Data Protection Act (Section 7, sub-section 4-7) has special rules to say what should happen in these situations and we need to work in line with these rules.

### [Appendix 2: dealing with disclosure](#)

People can also ask in writing to be removed from our records, or to say how and when we can use the information we hold about them. For example, someone might choose not to receive emails from us but might still want to receive the Acknowledging Youths CIC newsletter. We need to deal with requests like this within 21 days.

In general, all requests relating to the use, storing or deleting of records should be made in writing to the Acknowledging Youths CIC information and communication worker.

### [Appendix 3: Passing on information](#)

Acknowledging Youths CIC statement how we will use the information you give us explains that Acknowledging Youths CIC will, in some circumstances, pass on contact information for organisations and individuals:

Information you give Acknowledging Youths CIC will be used by us and our agents to tell you about Acknowledging Youths CIC services and to give you information on issues relevant to the voluntary sector in Westminster. Acknowledging Youths CIC will communicate with you by telephone, letter, email or in any other reasonable way. You can ask for a copy of the information we hold about you and your organisation, and if the information isn't accurate, you can ask us to correct it. If you do not want to receive letters, emails and telephone calls from us in the future, please tell us in writing.

Your organisation's name and the contact details you give us will be added to a directory of voluntary and community groups in Westminster. This directory is accessible to the public and to other voluntary organisations. If you do not want your organisation to be included in the directory, please tell us in writing.

Acknowledging Youths CIC may pass on details of your organisation's postal address to other voluntary and community organisations, or to local statutory organisations. We will never pass your contact details on to salespeople or to private organisations. If you do not want us to pass on your organisation's postal address, please let us know in writing.

General Guidelines



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Acknowledging Youths CIC may pass contact information on to agents employed by Acknowledging Youths CIC to carry out a particular task (for example, asking volunteers to contact people on our database by telephone).

Information listed on the online directory is already considered to be in the public domain. Contact details listed on the online directory may be passed on individually, but not collectively.

Acknowledging Youths CIC may pass contact information for organisation, individually or collectively, to members of the public, to public sector organisations and to voluntary sector organisations.

Acknowledging Youths CIC may not pass on contact information for organisations, individually or collectively, to private sector organisations wishing to sell services or goods.

Acknowledging Youths CIC may not pass on information about an individuals' use of Acknowledging Youths CIC services, without permissions from that individuals.

#### Appendix 4: Security

Personal information relating to the involvement of individuals and organisations with Acknowledging Youths CIC is stored centrally on the Acknowledging Youths CIC database. This data is limited to contact information, details of individuals' use of Acknowledging Youths CIC services, and details of individuals' mailing subscriptions. Data stored on the Acknowledging Youths CIC database is not considered sensitive.

Access to the database must be limited to current Acknowledging Youths CIC staff and agents

Sensitive personal data must not be stored on the database (sensitive data includes information about an individuals' ethnicity, religion, sexuality or health, for example).

The database is backed-up manually on a weekly basis. Automatic back-ups are run daily.

Personal information relating to the recruitment and employment of Acknowledging Youths CIC staff is stored securely in a locked personnel cabinet. This information is considered sensitive.

Access to the personnel cabinet is limited to management staff

The key for the personnel cabinet is stored in a locked drawer

Before disposal, sensitive personnel documents are shredded.

#### Confidentiality



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## Introduction

Acknowledging Youth expects its staff, volunteers and Board of Trustees to behave in a professional manner at all times and in line with our diversity policy. We place a duty on all staff at Acknowledging Youth not to discuss and disclose confidential information about staff, volunteers and members. It is also expected that confidential information about the organisation will not be disclosed. We expect that there may be times when the right to confidentiality may need to be broken. This is defined as the risk of serious harm or abuse to a client, staff or any other person, or a situation in which a criminal offence is committed. Acknowledging Youth's Chief Executive should be involved immediately on these occasions.

## Guidelines

All Acknowledging Youth staff will be briefed about the confidentiality policy during their induction. All staff are expected to familiarise themselves with the confidentiality policy and adhere to it all times. Failure to do so will be regarded as a disciplinary issue. Acknowledging Youth is committed to providing support, supervision and guidance for our staff and volunteers on confidentiality issues. Information may therefore be shared with the Acknowledging Youth internal supervisor. This information should be recorded and locked away in the supervision file.

## Records

All information held electronically or in paper format is subject to the Data Protection Act. All records kept on clients should be available to the client concerned if they request it. Acknowledging Youth staff will answer relevant and specific questions about groups with which it is working, from appropriate bodies e.g. the Charity Commission, or funding agencies. Some Acknowledging Youth staff are members of other decision-making bodies and funding panels and in this role they may be required to divulge sensitive information about a particular organisation. If a potential conflict of interest arises for the Acknowledging Youth staff member, he/she will declare this and follow whatever protocols are in place for the panel or meeting, including withdrawing from the meeting if required to do so. Some Acknowledging Youth staff sit on informal inter-agency information-exchange groups. In these roles those staff may pass on factual information about their experiences of working with particular groups or individuals within groups and may offer considered professional opinions about such groups and individuals, based on their experience. In such circumstances a group or individual may obtain details of information given about them by asking for it from the Acknowledging Youth staff member concerned.

All personal information held about clients, volunteers and staff should be stored in a lockable cabinet. All information held on the Acknowledging Youth database will be accessed using a security code. This information will only be



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accessible to Acknowledging Youth staff and office volunteers. Computer files should be backed up regularly. Personal information about staff and volunteers such as supervision and appraisal details, salaries and pay slips are deemed to be confidential. These files should be locked.

### [The Public Interest Disclosure Act \(whistle blowing\)](#)

“Whistle blowing” is when you report to an outside organisation something seriously wrong or illegal happening within the organisation. Examples include fraud, theft, jeopardising the safety of staff, volunteers and members. The act protects those who “blow the whistle” subject to the issues being raised internally prior to reporting to an outside organisation. The law on whistle blowing does not contradict the Acknowledging Youth confidentiality policy.



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