CONFIDENTIALITY POLICY

1. Introduction

This document does not form part of your contract of employment and may be changed from time to time in line with current best practice and statutory requirements, and to ensure that organisational needs are met. You will be consulted and advised of any changes as far in advance as possible of the change being made, unless the change is required by statute.
The NW Academy recognises that the handling of identifiable information is necessary to the effective functioning of the NW Academy. This information is written, verbal and computerised. Information is held about individuals using and providing the NW Academy's services including students, partners, agents, host families, landlords, work placement providers, voluntary organisations and groups worked with, and staff employed by the NW Academy.

Aims

The main aims of this policy are to:

Ensure that the NW Academy complies with the Data Protection Act 1998 and the associated Codes of Practice.
Ensure that information given in trust by users of the NW Academy services and staff members or held within the NW Academy for any other reason is treated with respect.
Ensure that information is protected through clarity about how it is to be stored and shared.
Ensure that the boundaries of confidentiality are clear and understood by staff.

The Policy is designed to:

Ensure the NW Academy complies with the Data Protection Act 1998 and Associated Codes of Practice.
Protect the best interests of staff and service users / providers.
Make explicit the responsibilities of staff concerning confidentiality.
Ensure users are aware of the NW Academy's responsibilities to protect confidential information.

Principles

This policy covers confidential information relating to staff and service users / providers / providers of the NW Academy. It is based on the principle that all such information should be treated as confidential. Information of this nature should only be shared when there is a clear, legitimate reason for doing so and with the permission of the staff member or service user / provider concerned.

Although personal/sensitive information is protected by the NW Academy, there are exceptional circumstances when confidential information would have to be disclosed (these circumstances are noted in section 11 of the policy).

Storage and Disposal Of Information

It is the responsibility of the NW Academy's staff to ensure that personal/sensitive information about service users / providers (students, partners, agents, host families, landlords, work placement providers, voluntary organisations and groups worked with, and staff employed by the NW Academy) is treated as confidential and stored in a secure place.

Such information will be stored only if it is current and necessary to undertake tasks relating to service delivery.
The time limit for storage of general non-active information will be 5 years, where this is a legal requirement to do so. Information where there is no such legal requirement will be stored for an appropriate period of time, which may, on occasion, be specified. There may be instances in which information of a personal nature is held longer than 5 years at Management's discretion.

The NW Academy's staff will be responsible for shredding confidential papers when finished with and deleting them from computer files.

Access to Information

The NW Academy is on the Data Protection Register and adheres to principles and practices outlined in the Data Protection Act 1998.
The NW Academy operates an Open Access Policy in relation to files and computer records, whereby staff members have access to information held about them. In order to access information, service user / providers / providers would be obliged to give the Managing Director of the NW Academy notice of two working days.

Information regarding service users / providers is confidential to the team from whom they receive a service, and not to the individual staff member working with them. This enables other team members to have access to information when staff are absent.
Information considered sensitive regarding an individual service user / provider and affecting the work we are engaged in with the user should be reported to the employee's line manager, who is responsible for monitoring the situation outlined.

Only information regarding users which is directly relevant to service provision will be held on record. Information given for one purpose will not be used for another purpose.

In the case of working with a group, individual group members have the right to access general group files stored at the NW Academy but not to personal information about other group members. Likewise, personal information e.g. phone numbers, addresses relating to staff members will not be given to other staff members or service users / providers without the permission of that person.

Boundaries of Confidentiality in Supervision within the NW Academy

In supervision, confidential information can be discussed relating to professional and, at times, personal issues when they are affecting the individual staff member's work. The supervisor is responsible for treating this information as confidential.

The supervisor has the responsibility to ensure that recordings of supervision sessions are kept in a secure place.

All information discussed in supervision will be considered confidential by both the Supervisor and the staff member being supervised.

Some issues arising in supervision may need to be discussed with the Managing Director in order to reach a resolution. In this situation, both the supervisor and staff member being supervised should agree to this course of action.

In the event of issues arising, within a supervision context, which require to be dealt with in a line management capacity, e.g. disciplinary issues, the supervisor will call a separate line management meeting, and the Managing Director will be informed about this action.

Personnel Files

Personnel files are confidential, with access to a staff member's file being limited to the Managing Director and to the individual at anytime during office hours. Access to the Managing Director's personnel files is limited to the Board of Directors for the purposes already outlined.
Personnel files will be kept in a locked filing cabinet, with the Managing Director or appropriate deputy holding the keys.

Personal Issues Affecting Staff Members

Staff members have the option of discussing personal issues adversely affecting their work in confidence with their line manager or the Managing Director. The Managing Director can then take appropriate measures to address these issues without breaking confidentiality subject to the staff member's agreement. This may include discussion with an appropriate other person and placing a record of this into the staff member's personnel file.

When sickness leave is taken, a sickness line must be sent to the line manager. Information on the nature of the illness will not be made known to other staff members. To ensure this, sickness lines should be submitted in sealed envelopes and marked confidential.

Reviewed: 13/02/26

Breaking Confidentiality

Staff are required to maintain confidentiality in accordance with this policy. Inappropriate disclosures during or after leaving employment will be treated as a disciplinary matter and dealt with in accordance with disciplinary procedures. This may include dismissal and/or legal action.

Exceptional Disclosure of Information

Exceptional circumstances may occur where the protection of a service user / provider, a staff member or a third party or another person must be ensured and to do so would involve disclosure of information, whether or not agreement has been reached with the service user / provider. In this situation, the staff member involved should seek advice immediately from the Managing Director and inform their line manager of this course of action.
The Managing Director will conform to Health and Safety legislation by informing the workplace of any notification received about any contagious or notifiable disease suffered by any person with whom workers may have had contact during the course of their duties.
In the event of a serious issue arising of a line management nature, (e.g. professional misconduct) supervisors may, within the Policy, raise it with the Managing Director with or without the staff member's agreement.

There is a legal requirement to disclose information in the event of a Police enquiry which has the back up of necessary legal documentation.

Information

All employees will be provided with this policy document and new employees will receive a copy of this policy on taking up appointment.

Monitoring

The working of this policy will be monitored regularly, with a record of the number and nature of formal complaints being held by the Managing Director for monitoring purposes.

Reviewed: 13/02/26

Signed: 

(Chief Executive, North West Academy of English)

Queries relating to this policy should be addressed to
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