



# Confidentiality Policy

<b>Overview:</b>	This policy sets out our approach to confidentially
<b>Version:</b>	V1
<b>Approved by:</b>	Eldonians Board
<b>Approved date:</b>	27 July 2023
<b>Issued date:</b>	28 July 2023
<b>Review date:</b>	27 July 2026
<b>Champion:</b>	Chief Executive Officer
<b>Document owner:</b>	Chief Operations Officer

## Contents.

1, Policy Statement	page 3
2. Purpose	page 3
3. Definitions	page 3
4.Scope	page 3
5. Confidentiality: Tenants Rights	page 3
6. Privacy: Tenants Rights	page 4
7. Confidentiality & Privacy: responsibilities of Staff And Board Members	page 4
8. ECBHA's responsibilities	page 6
9. Breaches of Confidential	page 6
10.Monitoring & Review	page 6
11.Other relevant policies	page 6
12.Equal Opportunities Policy	page 7

# Eldonian Community Based Housing Association Ltd Confidentiality and Privacy Policy

## 1. Policy Statement

Eldonian Community Based Housing Association Ltd (ECBHA) recognises that its work involves dealing with confidential information about its customers, its staff, and its business. Staff and Board Members must respect that confidentiality.

Staff and Board Members must treat as confidential:

- information concerning people: tenants, residents, staff, applicants etc.
- those matters of the Association's business which are defined as confidential.

## 2. Purpose

This Policy details:

- what tenants and residents can expect regarding their rights to confidentiality and privacy
- the basic standards that staff and Board Members should adhere to.

## 3. Definitions

Confidentiality has been defined by the International Organisation for Standardisation (ISO) in ISO-17799 as "ensuring that information is accessible only to those authorized to have access".

Privacy is defined as "the right to be left alone, out of public view and in control of information that is known about you".

The term 'tenant' below is extended to include all residents of the Association.

## 4. Scope

The Confidentiality and Privacy Policy applies to all staff and Board Members who may use, obtain, or have access to confidential information as outlined in the Policy Statement above.

## 5. Confidentiality: tenants' rights

All tenants of ECBHA are assured of complete confidentiality.

No files, records or other documentation containing written personal information about tenants may be taken from the office or scheme where it would usually be kept unless it is being transported to another site by an appropriate member of staff.

Tenants will be asked to provide, when relevant, confidential information to the Association during the application process and during their tenancy. Tenants will be informed:

- why ECBHA is seeking this information.
- how and when ECBHA will use this information in meeting their needs
- how this information will be stored to ensure it is secure
- who has access to the information they provide and when it is necessary to share information externally e.g.,
  - ◆ with professional colleagues such as housing support workers,
  - ◆ housing benefit officers,
  - ◆ doctors,
  - ◆ social workers,
  - ◆ health visitors.
- External agencies will be expected to accept the principles of the Association regarding confidentiality and privacy in addition to adhering to their own confidentiality and privacy policies.
- that they can see this information on request and have their views added if they disagree with its content
- that this information will not be provided to a third party without consent other than in exceptional circumstances where non-disclosure of information poses a serious risk to the tenant themselves and/or to others. Examples include but are not limited to bodies that have a statutory right to access the information held by ECBHA such as the Police, Customs and Excise etc.

## **6. Privacy: tenants' rights**

All tenants are assured that their privacy will be respected. The tenancy agreement states that no one will enter the accommodation without permission unless there is a reasonable concern of serious risk to the occupant and/or to others.

## **7. Confidentiality and privacy: responsibilities of staff and Board Members**

### **ECBHA staff:**

- will receive induction and on-going training to implement ECBHA's policy and good practice concerning confidentiality and privacy.
- must not share confidential information about tenants and their families with other staff, tenants, or members of the wider community except, when necessary, within the terms of this policy
- should know, and where they are responsible, ensure that tenants' personal records will be kept secure (paper records are kept locked up with limited and recorded access). Computer records are protected in line with security protocols and data protection requirements.
- must involve tenants, where possible, in the recording process so that they are aware of what is being recorded.
- must record conversations and other information using simple language, preferably in the tenant's, or person's own words and avoiding the use of jargon.
- must state the source of information and indicate how it was obtained on all records.

- will only share information regarded as confidential within the Association for the better performance of the Association's business.

### **Eldonian Board Members**

- You acknowledge that all relevant information is confidential to the Association and should not be released or disclosed to third parties, either during your appointment or following termination (by whatever means), without prior clearance from:
  - The Chair.
  - the Board (in the event that you are appointed as or are acting as the Chair at the time that you are proposing to release Relevant Information); or
  - the Company Secretary

### **You may disclose Relevant Information:**

- To the extent that you are required to do so by law or by a court order, provided that you use all reasonable endeavours to give the Association prior written notice of any such disclosure and do limit such disclosure to that which is legally required; or
- Where the Relevant Information has (other than by reason of your breach) become available to the public generally.
- You undertake to ensure that each person to whom Relevant Information is disclosed in accordance with clauses 6.1 and 6.2: is made aware of the confidential nature of the Relevant Information;
- Observes the terms of this Agreement as if he or she were a party to this Agreement; and
- If requested by the Association, enters into written undertakings similar to those contained in the Agreement, and you acknowledge that you will be responsible for any breach of the terms of this Agreement by any person to whom Relevant Information is disclosed.
- You acknowledge the need to hold and retain, and ultimately to dispose of, Relevant Information under appropriately secure conditions and in accordance with the Association's policies from time to time, and you agree not to remove, or allow others to remove, any Relevant Information from the Association's premises other than to the extent that it is strictly necessary to do so for the proper performance of your duties as a Board Member.
- You acknowledge that the Relevant Information is and will remain the property of the Association and must be delivered to the Association as soon as practicable upon request.

## **You undertake:**

- Not to use the Relevant Information for any purpose other than fulfilling your duties as a Board Member.
- Not to obtain or seek to obtain any financial advantage (direct or indirect) from the disclosure of Relevant Information, and
- Not to make or use any copies other than with the prior approval of the Chair, or the Board in the event that you are appointed as or are acting as the Chair, or the Company Secretary.

## **8. ECBHA's responsibilities**

### **ECBHA will:**

- review the effective implementation of the confidentiality and privacy policy.
- ensure a copy of this policy is available to all tenants and staff.
- ensure that the practice in the Association complies with the Data Protection Act 1998, Human Rights Act 1998 and the Public Interest Disclosure Act 1998, and Public Interest Disclosure (Northern Ireland) Order 1998

## **9. Breaches of confidentiality or privacy**

Any tenant or staff member witnessing a breach of the confidentiality and privacy policy should raise this directly with the person concerned or draw it to the attention of a member of the Senior Management Team. Alternatively, a tenant may choose to invoke the complaints procedure and a staff member may choose to invoke the grievance procedure.

## **10. Monitoring and Review**

- Confidentiality will be monitored through the supervision process.
- Any member of staff with a concern regarding Confidentiality or Privacy should ensure that it is discussed with their line manager.
- Tenants will be given the opportunity to comment and be involved in reviewing the policy and its implementation •
- The policy will be reviewed every three years unless changing circumstances or an incident trigger an earlier review.

## **11. Other relevant Policies**

- *Whistleblowing Policy – staff handbook*
- *UK GDPR Privacy Notice for Employees, Workers and Contractors – staff handbook*
- *NHF Code of Conduct 2022*

## **12.Equal Opportunities Policy**

We are committed to promoting equal opportunities for all everyone will receive equal treatment regardless of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation.