



# Confidentiality Policy

## Introduction

This policy applies to all staff, Trustees and volunteers of Be Free Young Carers and covers the following information:

- Information about individuals, for example, young carers and their families, volunteers and staff;
- Information about the organisation, for example, its plans or finances;
- Information about other organisations.

All Be Free Young Carers staff, Trustees and volunteers must respect the need for confidentiality of information held about anyone who comes into contact with the charity, and about any charity business. This is expected to continue even when contact has ceased with this person, and when the Trustee, volunteer or staff member no longer works for Be Free Young Carers.

This policy should be read in conjunction with the Be Free Young Carers Data Protection Policy.

## Information about individuals

Be Free Young Carers is committed to ensuring the confidentiality of its services to young carers. The confidentiality is between the young carer and his/her immediate family and the organisation, not the members of staff delivering a particular service.

Confidential information will not be sought from a young carer unless expressly in the interests of that young carer, i.e. to enable a better, appropriate service delivery.

Information will only be passed to another agency or to individuals outside of the charity with the consent of the young carer and his/her family, where possible this will be with written consent. If a member of staff or volunteer intends to obtain information from another agency to help the young carer or to refer them to another agency then this must be explained to the young carer and his/her family and their permission obtained.

Be Free Young Carers will not disclose any personal information about staff, volunteers, young carers or their families to any third party, including to another member of their family, without the prior consent of the young carer or their family. Information divulged will be only on a “need to know” basis.

Information will be treated in confidence and will not be divulged to anyone outside the organisation except where extenuating circumstances exist (see below under limits to client confidentiality). Every reasonable precaution will be taken to ensure the privacy of personal information.

## Use of client information for publicity, reporting or training purposes

Be Free Young Carers is required to give information where appropriate about the impact of our services.

If one of our services has an outcome which would provide useful material for publicity, fundraising, reporting or training purposes, then wherever possible the permission of the young carer and their

family will be sought in writing before the material is used. If permission cannot be obtained then all details that would enable identification of the young carer and his/her family will be changed and anonymised.

### **Limits to client confidentiality**

In certain circumstances Be Free Young Carers reserves the right to break confidentiality should this be deemed necessary. These circumstances include:

- If a member of staff believes that a young carer or a family member could cause danger to themselves or to others;
- If a member of staff suspects abuse or has knowledge of abuse;
- If a young carer or a family member gives information which indicates that a crime has been committed;
- If disclosure is required by law, for example, by the police;
- If a young carer or family member gives information which indicates a possible terrorist threat.

The decision on whether to break confidentiality will be decided on a case by case basis, always in conjunction with the Director.

### **Access to data**

This Policy operates on a “need to know” basis; only Be Free Young Carers staff and volunteers, have access to client or organisational information relevant to the service or their work.

Young Carers, parents and guardians have a right of access to personal information held by Be Free Young Carers about them, making a Subject Access Request under the provisions of the General Data Protection Regulations 2018. The procedure to ask for and respond to a Service Access Request is set out in the Be Free Young Carers Data Protection Policy and Procedure.

Any individual has the right of access to information held about them. However with children, this is dependent upon their capacity to understand (normally age 12 or above) and the nature of the request. The Director should discuss the request with the child and take their views into account when making a decision. A child with competency to understand can refuse to consent to the request for their records. Where the child is not deemed to be competent, an individual with parental responsibility or guardian shall make the decision on behalf of the child.

Significant breaches of this policy will be handled under Be Free Young Carers disciplinary procedures.

### **Evaluation and Monitoring**

All staff sign the terms and conditions of employment and volunteers sign the volunteer code of conduct agreement to say that they will abide by this policy. Be Free Young Carers will ensure that all staff and volunteers receive training in the application of this policy.

The policy will be reviewed annually by the Board of Trustees. It will also be reviewed in response to changes in relevant legislation, contractual arrangements, good practice or in response to an identified failing in its effectiveness.