



**Purpose:** The Patchworking Garden Project has a suite of policies to ensure safe and effective working in the charity. This policy is about Confidentiality in the project.

## **Confidentiality**

### **1. General principles**

- 1.1. The Patchworking Garden Project recognises that colleagues gain information about individuals during their time in the garden. In most cases such information will not be stated as confidential and colleagues may have to exercise common sense and discretion in identifying whether information is expected to be confidential. This policy aims to give guidance but if in doubt, seek advice.
- 1.2. Colleagues are able to share information in order to discuss issues and seek advice.
- 1.3. Colleagues will avoid exchanging personal information or comments about individuals with whom they have a professional relationship.
- 1.4. Talking about the private life of a colleague is to be avoided at all times, unless the colleague in question has instigated the conversation.
- 1.5. Colleagues will avoid talking about organisations or individuals in social settings.
- 1.6. Colleagues will not disclose to anyone, other than the daily named garden host, any information considered sensitive, personal, financial or private without the knowledge or consent of the individual, or an officer, in the case of an organisation.
- 1.7. There may be circumstances where colleagues would want to discuss difficult situations with each other to gain a wider perspective on how to approach a problem. The Project Leader's consent must be sought before discussing the situation.

- 1.8. Where there is a legal duty on The Patchworking Garden Project to disclose information, the person to whom the confidentiality is owed will be informed that disclosure has or will be made.

## **2. Why information is held**

- 2.1. Most information held by The Patchworking Garden Project relates to individuals, voluntary and community organisations, self-help groups, volunteers, students, trustees or services which support or fund them.
- 2.2. Information is kept to enable The Patchworking Garden Project colleagues to understand the history and activities of individuals or organisations in order to deliver the most appropriate services.
- 2.3. The Patchworking Garden Project has a role in putting people in touch with voluntary and community organisations and keeps contact details which are passed on to any enquirer, except where the group or organisation expressly requests that the details remain confidential.
- 2.4. Information about students is given to the training organisation and the college, but to no one else.
- 2.5. Information about ethnicity and disability of gardeners is kept for the purposes of monitoring our equal opportunities and diversity policy and also for reporting back to funders.

## **3. Access to information**

- 3.1. Information is confidential to The Patchworking Garden Project as an organisation and may only be passed to colleagues, the daily named garden host or trustees to ensure the best quality service for volunteers
- 3.2. Colleagues will be expected to share information about themselves which is relevant to their role and safety within the garden.
- 3.3. Volunteers may have sight of The Patchworking Garden Project's records held in their name. Sensitive information as outlined in para 3.2 will only be made available to the person named on the file.

## **4. Storing information**

- 4.1. General non-confidential information about organisations is kept in unlocked filing cabinets and in computer files with open access to all Patchworking Garden Project's colleagues.

- 4.2. Personal information on volunteers, students and other individuals working within The Patchworking Garden Project will be kept in lockable filing cabinets and will be accessible to the Project Leader or daily nominated garden host. Confidential files stored on the computer are password protected.
- 4.3. Files or filing cabinet drawers bearing confidential information will be labelled 'confidential'.
- 4.4. In an emergency situation, the Project Leader may authorise access to files by other people.

## 5. Duty to disclose information

- 5.1. There is a legal duty to disclose some information including:
  - 5.1.1. Child abuse will be reported to the Social Services Department
  - 5.1.2. Drug trafficking, money laundering or acts of terrorism will be disclosed to the police.
- 5.2. In addition colleagues believing an illegal act has taken place, or that a user is at risk of harming themselves or others, must report this to the Project Leader who will report it to the appropriate authorities. Anyone named will be informed of this disclosure.

## 6. Disclosures

- 6.1 The Patchworking Garden Project will comply with the DBS Code of practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information.
- 6.2 Disclosure information is always kept separately from an applicant's personnel file in secure storage with access limited to those who are entitled to see it as part of their duties. It is a **criminal offence** to pass this information to anyone who is not entitled to receive it.
- 6.3 Documents will be kept for a year and then destroyed by secure means. Photocopies will not be kept. However, The Patchworking Garden Project may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.

## **7. Data Protection Act**

7.1. Information about individuals, whether on computer 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:

- Obtained and processed fairly and lawfully.
- Held only for specified purposes.
- Adequate, relevant and not excessive.
- Accurate and up to date.
- Not kept longer than necessary.
- Processed in accordance with the Act.
- Kept secure and protected.
- Not transferred out of Europe.

## **8. Breach of confidentiality**

8.1. Colleagues who are dissatisfied with the conduct or actions of other colleagues or The Patchworking Garden Project should raise this with the Project leader using the complaints policy, if necessary, and not discuss their dissatisfaction outside The Patchworking Garden Project.

8.2. Colleagues accessing unauthorised files or breaching confidentiality will be asked to leave the project.

## **9. Whistle blowing**

9.1. Where a colleague has concerns about the use of The Patchworking Garden Project's funds, he or she may refer directly to the Chair or Treasurer outside the usual grievance procedure.

9.2. All colleagues hold the right to inform either the Project Leader or one of the trustees if they believe that The Patchworking Garden Project is being brought into disrepute by the actions of another colleague or trustee.