



Every woman deserves
respect and support

Confidentiality Policy

Version Control			
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Statement of Purpose

Leeds Women's Aid (LWA) is committed to being a fair and inclusive employer, providing the best possible service to families who use our services, to professionals in agencies that we work closely with and to staff and volunteers working for us.

The purpose of the Confidentiality Policy is to ensure that staff are fully informed about their rights and obligations in relation to confidentiality and access to information in respect to employees of LWA and partner organisations and clients.

LWA adheres to all relevant legislation including, but not limited to, the Data Protection Act 1998, General Data Protection Regulation (GDPR), the Human Rights Act 1998 and the Public Interest Disclosure Act 1998.

This policy does not form part of the contract of employment, but represents LWA's current practice, which may vary from time to time.

Distribution and Implementation

This policy will be made available to all employees via the LWA Intranet, BreatheHR, and relevant managers will ensure that workers, trustees, volunteers, clients and contractors are provided with a copy.

This policy covers all LWA staff, workers, volunteers, contractors, trustees and clients.

Related Policies

- LWA Data Protection & Information Governance Policy
- Safeguarding Adults Policy
- Safeguarding Children Policy
- Whistleblowing Policy
- Other employment policies and procedures

1. Principles

- 1.1. Leeds Women's Aid (LWA) is committed to maintaining the highest standards of confidentiality in all its work in order to ensure the safety and well-being of clients and staff.
- 1.2. Breaches of confidentiality may have life-threatening consequences and may therefore result in disciplinary action.
- 1.3. LWA does what it does because we believe:
 - All women & children should live in safety, free from abuse & fear
 - Every woman & child has a voice & should be empowered, inspired & listened to
 - Women centred support is powerful & improves the lives of women, men & children

How we do this is driven by our values:

1. Be Exceptional

- We are experts in our field & proud of having a women-centred approach
- We are pioneers & leaders, striving to perform & innovate

2. Be Courageous

- We are honest, inventive & have the integrity to challenge perceptions & practice
- We are encouraging & empowering of each other to be courageous & brave

3. Be Inclusive

- We are diverse, welcoming, approachable & inclusive as employers, service providers & people
- We promote unity, fairness & respect

4. Be Inspirational

- We are proud of our creativity & how we motivate, listen, empower & support each other
- We are encouraging & lead by example to achieve the best

5. Be Responsive

1. We are collaborative, aware, compassionate & sensitive
2. We adapt our approach to meet changing needs

2. Communication

- 2.1. This policy will be made available to all employees via the LWA Intranet, BreatheHR, and relevant managers will ensure that workers, trustees, volunteers, clients and contractors are provided with a copy.
- 2.2. The above will be encouraged to actively contribute and provide feedback to this policy.
- 2.3. The above will be notified of changes to this policy.

3. Introduction

- 3.1. This policy is in relation to information which must not be disclosed to anyone who does not have the right to know including locations of refuges and dispersed safe houses, information about clients or ex-clients, children and young people, staff, workers, volunteers or Trustees.
- 3.2. Where information has to be disclosed, the procedures outlined in Appendix A, Procedural Guidance on Confidentiality and Access to Information, must be followed.
- 3.3. Under no circumstances should the work of LWA be discussed in a non-professional situation outside the working environment. This includes general conversation with work colleagues, friends and family.
- 3.4. All staff, workers, contractors and Trustees should make themselves aware of the terms of this policy and its Appendix A and should sign the Confidentiality Contract at Appendix B and return it to a senior manager.

4. Information About Refuges and Safe Houses

- 4.1. The addresses of refuges and dispersed safe houses must not be given out or discussed with ANYONE unless in exceptional circumstances. The likely exceptions will be in the case of Social Services, the Housing Benefit authority, authorised contractors, police, health visitors etc., where legal requirements necessitate knowledge or direct access is required.
- 4.2. LWA will attempt to minimise the number of people who know the refuge addresses by using the same contractors and dealing with the same person at an agency where possible.

5. Information About Service Users

- 5.1. Information about service users will be shared between staff, workers, volunteers, contractors and Trustees on a need to know basis. Personal details disclosed by an individual on a one to one basis will remain confidential unless

the following circumstances prevail:

- there is a direct effect on the safety of the refuge or the individuals within it;
- there is a safeguarding issue relating to an adult or to a child or children;
- a person is threatening to harm themselves.

5.2. A person's permission must be obtained before disclosing personal data to a third party. The only time this will be overridden is if:

- there is a safeguarding issue relating to an adult or to a child or children;
- there is a need to protect the vital interests of the person (e.g. it is a life or death situation);
- LWA is required by law to do so;
- LWA is assisting in the prevention or detection of a crime.

5.3. Where external agencies have ongoing relationships with residents, all parties concerned will agree boundaries of confidentiality.

6. Information About Children and Young People

6.1. Any conversation between young people and staff members, workers or volunteers should be held in confidence. However, there may be the need to share information, or look for support from other members of the team, or to refer to other agencies. The child/young person will be made aware of this.

6.2. In the event of any disclosure of child abuse occurring, the Safeguarding Children Policy and procedure must be followed.

7. Information About Ex-Clients

7.1. Confidentiality is just as important for ex-residents of LWA and for people accessing the outreach and after care services. The policy and procedure apply equally to women and children in this situation.

8. Information About Staff, Volunteers and Trustees

8.1. Under no circumstances should information relating to staff members, workers, volunteers or Trustees be given to any individual or organisation without the permission of that person or unless it is appropriate or legal to do so.

8.2. Under no circumstances should your own personal information such as address, date of birth etc be shared with any service users or external agencies.

9. Recorded Information

9.1. Any recorded information on clients, ex-clients and staff and workers will be:

- kept in locked cabinets;
- protected by the use of passwords if kept on computer;
- recorded by codes if used for statistical purposes so those individuals remain anonymous;
- kept for at least 6 years and then destroyed confidentially if it is no longer needed.

10. Access to Information

10.1. LWA's clients have the right to know if personal data is being held about them. The Subject Access Request procedure will be followed and clients could be and to be given:

- a description of personal details held about them;
- the purposes for which LWA uses this personal data;
- those to whom LWA may disclose this personal data.

10.2. LWA will provide this information to clients who request it unless:

- the information may cause harm to the service user's (or another person's) mental or physical condition, unless an appropriate health professional has been consulted;
- (if an ex-service user) the identity of the ex-service user has not been confirmed;
- LWA recently complied with a similar request.

10.3. Where the personal data relates to a child or young person, LWA will give access to the child if:

- they are over 12 years old
and
- they are deemed mature enough to understand the nature of their request

10.4. A request for access to personal data about a child or young person, which has been made by a parent or guardian, can only be given if LWA is satisfied with the identity of the parent or guardian.

11. Training

11.1. All employees, workers, volunteers and Trustees will be briefed on the use of this policy and procedure to ensure that confidentiality and access to information are dealt with appropriately at all times.

12. Monitoring and review

12.1. LWA will review this policy every three years or when issues are identified which require the policy to be amended.

12.2. Effectiveness of the policy will be assessed through:

- Review of the policy by management and the trustees;
- Feedback from employees, volunteers, clients and any other relevant person.

PROCEDURAL GUIDANCE ON CONFIDENTIALITY AND ACCESS TO INFORMATION

1. **DISCLOSURE OF PERSONAL INFORMATION ABOUT CLIENTS TO OUTSIDE AGENCIES**
 - 1.1. In cases where employees or workers feel there is a need to disclose confidential information about a client to a third party, they must inform the person concerned why there is a need to share information, with whom, and what the likely consequences of their agreeing or not agreeing to disclosures are.
 - 1.2. Once consent has been obtained, it is the responsibility of the employees or workers passing on any information to ensure that disclosure only takes place on the terms agreed with the client it concerns.
 - 1.3. Information should only be given to other organisations with the client's permission, with the exception of the cases set out in the policy when disclosures may be made without consent.
 - 1.4. Some organisations, for example housing associations, may require details about the client including criminal record or level of rent arrears, if the client is being referred to them. The employees or workers should tell the client the information requirements of the organisation and the reasons why disclosure of information is necessary. They should be told the consequences of agreeing, or not, to having the information passed on. For example, if LWA refuses to disclose a woman's rent arrears to a housing association, that association might refuse to give that person a nomination.
 - 1.5. Employees or workers may be approached by the Department for Work and Pensions over the phone seeking information to verify a claim. The employees or workers will make it clear to clients what sort of information may be required, e.g. date of moving in or services provided. Any other information the DWP asks for will not be given without the permission of the resident concerned.
 - 1.6. In the case of attempting to verify a claim, the employees or workers will ask the client concerned for permission to approach the DWP for information. The employees or workers or clients will not give out anyone's move-on address without the permission of the person concerned.

2. DISCLOSURE OF INFORMATION ABOUT PROPERTIES

- 2.1. Employees or workers must not disclose the location and nature of properties unless given express permission to do so by their line manager. In such cases residents will normally be informed prior to disclosure and wherever feasible, consulted.
- 2.2. Employees or workers compiling management accounts, annual reports etc. must not refer to the properties by address.
- 2.3. Employees or workers responsible for linking with partner agencies must give them a copy of LWA's confidentiality policy and explain its impact on them. The people within the agency who will need to know the location and nature of LWA properties will be identified by the agency in conjunction with LWA at an early stage. Management Agreements will state that breaches of confidentiality by either party will be treated as a breach of the agreement.
- 2.4. Employees or workers responsible for employing contractors and consultants on behalf of LWA must not inform them of the kind of housing provided by LWA unless this would hinder their work. For contractors used on a regular basis, e.g. small repairs staff may inform them about LWA's work in order to ensure the long-term maintenance of confidentiality. However, this may only be done with the express permission of their line manager.
- 2.5. Employees or workers responsible for employing contractors and consultants must explain LWA's expectations as regards confidentiality.

3. PUBLICITY AND PUBLIC RELATIONS

- 3.1. Employees or workers must not reveal the location of properties to the media. Visits by external agencies must be kept to an absolute minimum. Where agencies do visit, they will be required to complete the confidentiality contract in Appendix B.
- 3.2. Employees or workers may not become involved with the media except with the express permission of the Chief Executive.

4. CLIENTS' REQUESTS TO ACCESS INFORMATION HELD ABOUT THEM

- 4.1. Employees or workers should respond positively to requests from clients to see personal information held about them on their files, as long as this is in line with the conditions set out in the policy. The employees or workers receiving the request must arrange a convenient place and time for the client to go through her file and should remain with her while she does this.

5. BREACHES OF CONFIDENTIALITY

- 5.1. Any breaches of confidentiality will be taken seriously. This does not mean, however, that all breaches will be subject to disciplinary action. Where it is more appropriate to deal with confidentiality breaches through education, this will be done.
- 5.2. Any breach of confidentiality by a resident will be discussed first between the worker and their line manager. They will decide what action, if any, needs to be taken within the terms of LWA's eviction procedure.
- 5.3. The line manager will consider any breach of confidentiality by a employee or worker. She will decide what action, if any, needs to be taken in terms of the disciplinary procedure.

CONFIDENTIALITY CONTRACT

In your dealings with Leeds Women’s Aid, you may have access to sensitive information concerning the location of refuges and safe houses, trustees, employees, workers and residents. Information will be provided on a ‘need to know’ basis only.

In order to safeguard employees, workers, residents and the long term-viability of the refuge and safe houses, their location must not be disclosed to any person, whether in a personal or professional capacity, unless Leeds Women’s Aid gives their express permission to do so. The only general indication of their location which may be provided is that it is situated in Leeds.

When writing or talking about our refuges/ safe houses you must never identify the address as Leeds Women’s Aid or as a refuge. Neither should it be a matter of permanent record, either on manual files or on the computer to identify the address as a women’s refuge/ safe house.

An ongoing agreement and ability to honour the terms of this contract will be a requirement of your continued liaison with Leeds Women’s Aid.

Acceptance of the terms of the confidentiality contract

I have read and understood the above information. In working with Leeds Women’s Aid, I agree to respect the confidentiality of the refuge whilst involved with the project and in the future.

Signed:

Date:

Name:

Position: