

## CONFIDENTIALITY POLICY

### A. Introduction

- A.1 The object of this policy is to protect and promote the rights and interests of the individual and of Solon Wandsworth. Solon Wandsworth is committed to maintaining high standards of confidentiality in all aspects of its work. This includes records and information about former, present and potential tenants, staff, shareholders and members of the Management Committee of Solon Wandsworth or any associated body. Breaches of confidentiality may jeopardise the well being of such individuals and may be the subject of disciplinary proceedings.
- A.2 The purpose of this policy is to give guidelines on maintaining confidentiality in all aspects of Solon Wandsworth's work and to give guidance about circumstances where disclosure may be necessary and to regulate the procedure for doing so.

### B. General Principles

#### *B.I Disclosure*

- B.I.1 Where there is a legal requirement (e.g., by Court Order, Police, Customs & Excise Officers) information should be given. Details should be requested in writing in the first instance. Other than this, the ultimate reference point for deciding who should have knowledge of an item of confidential information is the individual to whom the item of confidential information pertains. It is important, however, that where consent to disclosure is given it is informed consent. For this to be the case it is necessary to 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 disclosure are. Once consent has been obtained, it is the responsibility of the person passing on any information to ensure that disclosure only takes place on the terms agreed with the person it concerns. It is therefore important to ensure that the requirement for strict confidentiality and any accompanying guidelines are fully explained and understood by any third party to whom confidential information is disclosed. In exceptional circumstances and where there is no legal requirement, the Management Committee will decide if confidential information should be passed to a third party.

#### *B.II Training*

- B.II.1 It is essential that all in Solon Wandsworth are made aware of the need and reasons for maintaining confidentiality ie, workers and Management Committee.

### ***B.III Breaches of Confidentiality***

B.III.1 Any breach of confidentiality shall be seen as a serious issue. However, where possible, breaches of confidentiality should be dealt with sensitively. Most breaches of confidentiality occur not out of malice but through thoughtlessness or lack of awareness of the consequences of an action. Although Solon Wandsworth is aware that the consequences of unintentional breaches of confidentiality may be as serious as the consequences of intentional breaches it recognises that education may be a more appropriate response than punishment.

### ***B.IV Records and Files Covered by the Policy***

B.IV.1 This policy covers all records and information held by Solon Wandsworth concerning former, present and potential tenants, staff, shareholders and members of the Management Committee of Solon Wandsworth or any associated bodies.

### ***B.V Management Committee***

B.V.1 All New Management Committee members shall be sent a copy of the Confidentiality Policy and asked to take responsibility for implementing it in relation to their own committee papers and information discussed at the Committee, sub-committee or other Solon meetings.

B.V.2 Mailings: all committee and sub-committee papers shall be considered confidential and marked "Private and Confidential".

B.V.3 Reference at committee meetings to flats, houses and land occupied by tenants shall be done in reference to an identification code not by address.

B.V.4 Tenants shall not normally be referred to by name, neither shall their personal details be discussed without their consent either at committee meetings or in mailings. Tenants and all matters relating to them should be referred to by means of an identification code.

B.V.5 Arrears reports shall be made in terms of figures only. Specific tenants or addresses shall only be mentioned where there is a legal requirement.

### ***B.VI Office Security***

B.VI.1 It is the duty of the last person leaving the office of an evening to ensure that the building is properly secure.

- B.VI.2 Filing cabinets holding important/confidential information must be locked overnight and the key kept in a safe place or by a designated key holder (W.M may determine either).
- B.VI.3 Keys should not be easily identifiable (i.e., with address labels). A coding system should be used and key cabinets should remain locked at night.
- B.VI.4 The office should have use of a shredder or alternative methods of destroying confidential information including tenants payment histories if it is no longer required.

### ***B.VII Personnel***

- B.VII.1 All workers shall be given a copy of the confidentiality policy as part of their induction. The implications of the policy for their work shall be explained.
- B.VII.2 Personnel files and workers records shall be kept in a locked cabinet. Only workers with personnel responsibilities should have direct access to personnel files, though individual workers may have access to their own files. All other workers may have access to personnel files with prior authorisation of the worker concerned.
- B.VII.3 Application forms, interview records and monitoring forms are confidential to Solon Wandsworth.
- B.VII.4 Equal Opportunity Monitoring forms shall be detached from application forms on receipt at Solon Wandsworth and kept separate from application forms.
- B.VII.5 References: when seeking references for a new employee it should be made clear to the referee that the information is sought in confidence.
- B.VII.6 Breaches of confidentiality by workers may be treated as a disciplinary issue.

### ***B.VIII Tenants - Confidentiality***

- B.VIII.1 Tenants' files shall be kept in a lockable cabinet and confidential to members of the housing management section only. Confidential information may only be made known to other workers in the Association, who need the information in order to effectively deal with the tenants' welfare. Information must be sought via a housing manager.
- B.VIII.2 Tenants may have access to their files by making an appointment with their housing manager to visit the office and see it.

B.VIII.3 Rent records are confidential. However tenants have the right to request a copy of their personal rent account.

B.VIII.4 Workers shall not disclose personal information about tenants unless required by statute or the interests of Solon Wandsworth.

***B.IX Flats, Houses and Land***

B.IX.1 The location and nature of special projects shall not be disclosed to outside persons or bodies unless there is a legal obligation to do so, or it is in the interest of the project to do so.

***B.X Contractors, Statutory Authorities and Consultants***

B.X.1 Contractors, Statutory Authorities and consultants working with Solon shall not normally be given personal information about the occupiers or use of housing provided by Solon Wandsworth or associated bodies unless this would hinder their work, or have health and safety implications of which they should be aware.

B.X.2 All contractors, Statutory Authorities and consultants used shall have Solon Wandsworth's requirements for confidentiality made clear to them.

***B.XI The Data Protection Act 1987***

B.XI.1 The Data Protection Act (D.P.A) was passed to give individuals protection from misuse of personal information held about them on computer and sets out requirements of how this should be done. Under the Act, a person might be entitled to compensation from the user, should information held on computer be disclosed. (See Appendix A)

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### C. Appendix A - The Data Protection Act 1984

#### *C.I Object of the Legislation*

C.I.1 To protect private individuals from the misuse of personal information (data) held about them on computer. The act came into force from the 11th November 1987. The Act covers Personal Data, Data subject and Data Users. The Act does not apply to wordprocessors.

#### *C.II How the Act Works*

C.II.1 People can obtain compensation from a data user user for loss or unauthorised disclosure of personal data.

C.II.2 People can apply to data users and get a written copy of the information held about them.

#### *C.III Data Protection Principles:*

- i) Data Must be collected and processed fairly and lawfully.
- ii) Data can only be held for the lawful purposes described in the register entry and these purposes must be written within the law.
- iii) Data can only be used and disclosed as set out in the data users registry entry.
- iv) Data must be adequate, relevant and not excessive in relation to the purpose for which they are held.
- v) Data must be accurate and, where necessary, kept up to date.
- vi) Data should not be held for longer than is necessary.
- vii) Data should be made available to data subjects when they reasonably request it.