



PEER ACTION CONFIDENTIALITY POLICY

1. Introduction

This Policy applies to all members, contractors, trustees, and volunteers.

Peer Action believes that confidentiality for our members is a vital part of service delivery. We believe a policy is important to protect members, contractors and volunteers from the possibility of information being passed onto individuals or organisations who have no right to that information and to reassure members that good care will be taken with information which they give to us. For this reason we are committed to a policy of confidentiality with regard to information given to us by or about individual members, contractors and volunteers.

Members, volunteers, event organisers, trustees and contractors are given this information at induction or first attendance. This may be given either verbally or by formal presentation of this policy.

There is no requirement for anyone to sign acceptance of these conditions as attendance at any and all Peer Action events will be taken as acceptance of the terms of this policy and agreement to abide by them at all times.

Where a complaint regarding confidentiality is made either by a member, volunteer, event organiser, trustee or contractor member or where a member, volunteer, event organiser, trustee or contractor fails to observe this policy, or acts contrary to the policy guidelines, they may be subject to investigation by the Charity following the Charities disciplinary procedure. Should it be found that anyone has acted contrary to policy a range of remedial actions may be taken, which in serious cases may result in ending the relationship with Peer Action.

1.1 A Confidentiality Policy is necessary for the following reasons:

To protect members, contractors and volunteers from the possibility of information about them being passed on to individuals or organisations who have no right to that information.

To reassure members that good care will be taken with information that they give to Peer Action contractors and volunteers and to be clear as to the circumstances when information can be shared with others.

To provide guidance to contractors and volunteers on the extent to which confidentiality is to be protected, circumstances in which they may breach

confidentiality, and measures to be taken for the safeguarding of information and protection of members

To assist Peer Action contractors and volunteers to comply with legal and statutory requirements for the disclosure of information.

To reassure members wishing to make a complaint to or about Peer Action that the confidentiality of any complaint will be given high priority in so far as this is consistent with the need to investigate the complaint

1.2 General Confidentiality Principles:

Members, volunteers, event organisers, trustees, and contractors have the right to expect a confidential service and a full explanation when and if confidentiality is breached.

All of Peer Action's members, volunteers, event organisers, trustees and contractors are required to respect the right of members and of other contractors and volunteers to privacy and confidentiality as far as possible within the constraints of legal requirements and the safety of others.

Confidentiality relates to information not only given deliberately by the person concerned or by other people about the person, but also information acquired accidentally or through observation or via a third party.

Information about a person will only be disclosed to other individuals or organisations with the person's consent and in line with the person's wishes. For exceptions to this please see circumstances in which confidentiality may be breached.

Usually, members disclose confidential information to one contact. However, Peer Action sometimes needs to share information with other team members, the Director and admin staff when necessary. Members should be made aware that confidentiality is kept within the charity not an individual worker.

Where it is thought necessary to pass on information to another individual or organisation this will be on a strictly 'need to know' basis. The consent of the person will be sought if possible, and that person will be informed that the information has been passed on and to whom it has been passed.

2. Confidentiality – Members Guidelines: -

Everyone using Peer Action or volunteering for it has a right to be respected, and is expected to show respect for others. Peer Action is a charity where you can feel free to talk, share, unwind, and enjoy the company of others. It is a condition of using our services that any conversations that are shared or heard within our services are not repeated to anyone outside.

It is likely that you will meet new people whilst using the services, and we also ask that outside the services you do not disclose anyone's HIV status, or make any

comments which may do so. You should also not disclose to anyone the fact that other individuals use the Peer Action – as this may disclose their HIV status. It is a good idea, when meeting new people, to discuss how you will behave if you see each other outside the Peer Action, and how much you are willing to talk about in those circumstances. “

Members are given these guidelines at first use of the service, and these are discussed fully, together with the procedure for making complaints should they feel confidentiality has been broken. Any complaint about a members conduct may result in an investigation by the Charity, and where a member has acted inappropriately, a range of remedial actions may be considered. Depending on the circumstances, and in serious cases this may result in exclusion from the service.

2.1 'Overheard' conversations: -

Members, volunteers, event organisers, trustees and contractors expect to be able to talk freely to each other, and their conversations within the service to be treated as confidential between themselves. It should be noted that conversations which are overheard may not be accurate, truly reflect the situation being discussed, or be taken out of context; and there is no way of checking this out.

Everyone should therefore treat all 'overheard' conversations as private and unless there are audible and known or suspected discriminatory or threatening remarks, discussions about the sale or supply of illegal drugs, or the conversation falls within the definition of 'exceptional circumstances' (explained further on in this policy). In these cases, and where appropriate, volunteers, trustees or contractors should enquire or challenge the persons engaged in the conversation. In all cases, they should immediately inform the session leader that they have enquired over or challenged the conversion, or if they have not felt able to do so they should inform the session leader of the conversation which has caused them concern.

2.2 Enquiries from other persons: -

Everyone should remember not pass on information to any other person without the members express permission - this includes enquiries from the members family, friends and from other professionals involved with the member. This also includes enquiries as to whether a person has used or does use the services; or is present at a session. Volunteers should inform the session leader if such enquiries are made.

2.3 Encountering members outside the service: -

Confidentiality is especially important, and equally applies when encountering members outside the service, and during possible social or casual interaction. In these circumstances you should strictly avoid any discussion which may identify or even imply any member as using the service or disclosing information about them, their HIV status or similar details about other people. It is useful to talk about the possibility of this with members whilst they are using the service - which will avoid any confusion should this situation arise later on.

3. Confidentiality - Volunteers & Contractors Policy

The overall aim of Peer Action (the Charity) is to provide a safe and supportive environment for members to meet and benefit from peer support and social interaction. This is based upon mutual trust and respect between everyone involved - volunteers and members alike. A clear understanding of the need for confidentiality and your involvement in how this works is fundamental to maintaining this trust.

The term "confidential" implies that the member's details remain confidential between the individual member, the volunteer, the contractor or the trustee and the Charity. Only pertinent information about the member may be shared within the Charity – only in order to ensure best practice for the benefit of members and the Charity, and the member is informed that this may be the case when they first use the service.

Members should **not** be promised that information disclosed will not be shared within the Charity for monitoring purposes, or in 'exceptional circumstances' (see below); but should be assured that all volunteers, organisers and contractors will treat any information that they are given with respect, avoiding unnecessary discussion with other volunteers and within these boundaries.

Volunteers and contractors must not discuss members with any other individual member(s), unless they expressly have their consent to do so. If a member is unhappy with these responses - then they should be advised that they (the volunteer or contractor) are unable to engage in the particular conversation.

4. Confidentiality - Operational Policy

Peer Action members; volunteers, event organisers, trustees, and contractors will take care:

- 4.1 Not to be overheard when discussing confidential information accepting the limits set by working in a shared office/open plan venues.
- 4.2 To follow Peer Action's Data Protection, Archiving, and Retention Policy regarding the safe storage and disposal of confidential information.
- 4.3 To keep only necessary information relating to members, volunteers, and personnel records.

5. Confidentiality and safeguarding: -

Exceptional circumstances where confidentiality may be broken: -

Confidentiality may only be broken in the following exceptional circumstances but the volunteer should strictly follow the guidelines set out in this procedure

Risk of harm to themselves or others If any volunteer believes that a member could cause danger to others or is at risk of harming him or herself, he or she

should talk to the session leader as a matter of urgency.

Protection of children and young people All volunteers has a legal duty to protect children from harm wherever possible. If a volunteer becomes concerned about the welfare of a child, or has reason to believe that a child is being, or may be, harmed, he/she must speak to the session leader immediately.

Where we are required to disclose information under the law, under the direction of a court order or in any circumstances where it would be illegal to withhold the information.

Revision History

Version	Date: -	Changes: -	Editor	OK
0.0	2013	As Issued	[name] - Chair	
1.0	March 2015	Edited and reformatted	[name] - Chair	

Counter Signature/Approval

Signed:	
Position:	Date:
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