



## OTTERTON RELIEF IN NEED CONFIDENTIALITY POLICY

Registered Charity 202098

In the following the word 'user' means anyone who uses the services of Otterton Relief in Need (ORINC) directly or indirectly, whether being an individual or another organisation.

### 1. Introduction

ORINC recognises that the principle of confidentiality should comprise any information about its service users and the internal affairs of the organisation and should be adhered to by all trustees. ORINC service users have a right to privacy and confidentiality and it is essential to ensure that users have trust and confidence in ORINC and are treated with respect and dignity.

### 2. Aim

The aim of this policy is to:

- Ensure that users approach ORINC with trust and confidence.
- Ensure that all trustees of ORINC understand and carry out their duties to safeguard a user's rights to confidentiality by avoiding careless or wrongful disclosure of information entrusted to ORINC by the user.
- Ensure that all trustees ORINC understand that their knowledge about internal affairs or the financial status of ORINC and its trustees is confidential.

### 3. Practical Aspects

ORINC offers to its users a confidential service. It is implicit therefore that such confidentiality is respected. An enquirer's approach is to the organisation rather than to an individual trustee. Discussion of information with another trustee of ORINC, who may be able to help with the query, does not breach confidentiality.

Under no circumstances should details of a client be discussed outside the organisation by anyone working on behalf of ORINC in such a manner that it is possible to identify the client. The exception to this is where written or verbal permission is obtained from the client first. A caller may request that information should not be divulged to anyone else. This wish should be respected. The only exception would be where such information contravenes the law, endangers others, or in an emergency "life and limb" situation. Confidentiality does not apply in possible cases of safeguarding. In these circumstances other trustees should be made aware as per the ORINC Safeguarding Policy. The user will have the right to complain if information is divulged without his/her permission.

### 4. Procedures to be followed

Under no circumstances should details which enable an individual to be identified be made public or passed to a third party without the user's informed consent verbally, or in writing if the situation is felt to warrant it. In many cases, such as telephone advice or one-off enquiries, where this is not possible



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and is not needed in order to progress the case (e.g. for liaison with third parties), verbal consent will be recorded. Such consent is valid only for the purpose for which it was given. If information is to be re-used in a different context, permission should be sought again. If an individual does not have mental capacity to give permission, it should be sought from their carer, relative or advocate.

### 5. Enquiries Involving Third Parties

Correspondence from ORINC on behalf of a service user should make it clear that the reply will be shown to the user. In the event of a response being received from a third party that would, in the opinion of ORINC, damage relations or negotiations with the user, ORINC should check with the other agency that the answer could be shown to the user.

The situation could arise where an enquiry is made on behalf of someone else (third party), e.g. by a relative, friend, neighbour for an elderly person. Confidentiality is not broken if information is given to be passed on. Where it is agreed that ORINC will contact a third party on behalf of a client, the client must give consent. Without this permission there is a breach of confidentiality as action would be taken without the knowledge or consent of the third party and may not be in accordance with their wishes or in their best interests.

All trustees will be expected to make themselves aware of this policy. In respect of confidential agenda items at meetings and confidential minutes, Board members will be expected to adhere to the policy and guard against any breaches intentional or unintentional. Where there may be a conflict of interest between providers who are trustees, some matters will remain confidential and the procedure at meetings may therefore exclude individuals who seem to have an 'interest'

### Change Record

| Date of Change: | Changed By:                     | Comments: |
|-----------------|---------------------------------|-----------|
| April 2023      | Policy approved by the Trustees |           |
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