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FERRYHILL LADDER CENTRE CONFIDENTIALITY POLICY

The Ladder Centre has a moral and legal responsibility to respect and protect the confidentiality of information regarding clients, both individual and corporate. The sharing of this information should, in the majority of cases, only take place with the consent of the client.

All information held on the computer and in paper format, is subject to the data protection Act 1998 and this lays down strict conditions about the keeping of information and its disclosure.

DATA PROTECTION

Clients must be informed that personal information which they supply to LADDER will be:-

- Treated as strictly confidential
- Held on the computer and/or on manual files
- Used only for the purpose of the service which they require
- Accessible to them
- Available to be corrected by them if necessary

A written statement to this effect should be made available to clients.

OBTAINING CONSENT

Usually the best way of retaining the trust between service provider and client is to obtain his/her consent to any disclosure of information. Obtaining consent in advance of making a disclosure is usually the best way of satisfying any legal requirements. Clients should be made aware of the circumstances where information may be shared with others. This is particularly important when working jointly with other agencies to deliver a service. Local protocols should be developed and client should be made aware of these in writing during initial contact with the client. There are circumstances where it would be inappropriate to seek consent or even inform someone that confidential information has been disclosed. Broadly, this related to clients who present a significant risk of serious harm to themselves or other. It is good practice to establish these boundaries with clients at the outset of their involvement so they are clear that staff and volunteers will disclose information to relevant organisations if they perceive there to be a risk of serious harm to the client or others.



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OBLIGATIONS TO DISCLOSE

In some circumstances, legislation has been passed which removes the exercise of professional judgement and requires disclosure. This includes:

- The prevention of terrorism act 1989, which applies to assist the prevention or investigation of terrorism in Northern Ireland.
- The drug trafficking act 1986 (amended by the criminal justice act 1993) where disclosure must be made if there is knowledge or a suspicion that a person is concealing money made through drug dealing. Not to disclose such information constitutes an offence, as does information the person of the disclosure.
- The children act 1989 places a duty on the local authority to investigate if they have reason to believe that a child within their area is suffering or likely to suffer from significant harm. If abuse (Sexual, emotional or physical) of young person is suspected then LADDER staff and volunteers must discuss this with their line Manager so that a referral can be made to the local authority. Staff and volunteers should not in any circumstances attempt to investigate the allegation themselves.

CHILDREN AND YOUNG PEOPLE

In work with children and young people under 16, staff and volunteers will, in line with the Gillick principle, aim to work with the understanding and consent of the parent or carer. Staff and volunteers will continually and consent of the work towards establishing that support where it is continually review and work towards establishing that support where it is not present. The following criteria will be used to consider the future provision of service in the absence of parental/carer support- that the young person is on;

- Capable of understanding the service offered.
- Cannot be persuaded to inform parent/carer or allow the service provider to do so.
- Is likely to begin or continue behaviour that could have service consequence.
- Is likely to experience in physical or mental health unless the service is offered.
- The best interests of the young person require the provision of the service without parental consent.