

GCUK: Confidentiality Policy

Policy

This policy establishes how matters of confidentiality are addressed. Trustees and those working for the charity must treat discussions as confidential unless there has been agreement about disclosure. Patients and carers generally have a right to confidentiality regarding information shared with the charity or its representatives. In certain circumstances information cannot be kept confidential.

Objectives

The objectives of this policy are to:

- Ensure that patients and carers can approach GIST Cancer UK (GCUK) with trust and confidence.
- Ensure that trustees and those working with or for GCUK understand and carry out their duties to safeguard a user's rights to confidentiality.
- Ensure that all trustees and volunteers understand that their knowledge about internal affairs or the financial status of GCUK and its staff are confidential.
- Commit GCUK to disclosing information about its operation to its patient and carer community unless there are clear business or confidentiality reasons for not doing so.

Definitions

Representatives means all those where the nature of their work for the charity, whether paid or unpaid, is regular and structured. This includes trustees, paid staff, Helpline volunteers, and consultants or equivalents.

Beneficiaries means all those who benefit from, engage with, or come into contact with GCUK. It includes patients, carers, family or friends who engage with the charity.

Trustee means a member of the GCUK Board of Trustees.

Volunteer means someone who supports the work of the charity, without being paid, and where the nature of the work is unstructured, ad hoc or intermittent.

Responsibilities

GCUK recognises that the principle of confidentiality covers any information about its beneficiaries and the internal affairs of the organisation and should be adhered to by all trustees, volunteers, staff and consultants.

Confidentiality is not just a contractual requirement but a requirement under the Data Protection Act 2018. Board members, representatives and consultants will be asked to sign the statement of confidentiality (See Appendix).

Procedure

Board activities

In respect of confidential agenda items at meetings and confidential minutes', trustees will be expected to adhere to the policy and guard against any breaches intentional or unintentional.

Where there may be a conflict of interest some Board matters may remain confidential and the procedure at meetings may therefore exclude trustees who are deemed to have an 'interest'. The chair of the Board and the secretary will determine when this is the case.

Whilst recognising that some information is sensitive and discussions are confidential, the Board is committed to making its operation and decision-making as open and transparent as possible.

Services

GCUK offers to its users a confidential advice service. It is implicit therefore that such confidentiality is respected.

An enquirer's approach is to the organisation rather than to an individual member of staff or volunteer. Discussion of information with a representative of GCUK who may be able to help with the query, does not breach confidentiality.

Under no circumstances should details of a patient or carer be discussed outside the organisation by anyone working on behalf of GCUK in such a manner that it is possible to identify the person. The exception to this is where written or verbal permission is obtained first.

A beneficiary may request that information should not be divulged to anyone else. This wish should be respected. The only exception is 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 staff should consult the designated trustee overseeing volunteers or, in his/her absence, the Chair of the Board, first advising the user that this action is necessary.

The user will have the right to complain if information is divulged without his/her permission. The complaint will follow the procedure set out in the Charity's Complaints Policy.

Procedures

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.

Wherever possible, a signed consent form will be completed by the beneficiary to ensure that they have given informed consent on how their information will be used. In many cases, such as telephone advice or one-off enquiries, where this is not possible and is not needed in order to progress the case (e.g. for liaison with third parties), verbal consent will be recorded on the client record.

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 and only with the consent of the Chair of the Board or Trustee assigned with authority to deputise.

Records

Records relating to patients and carers are only available to relevant trustees and volunteers who have undergone selection and training and who have signed the statement on confidentiality.

Care must be taken at all times to ensure that all records are handled with discretion and are stored securely. Correspondence and other records, minutes, files, card index systems pertaining to an individual should always be stored securely including files stored at home. Notes should be destroyed by shredding once case files/data base records have been compiled. No such material/information should be left unattended in a vehicle.

Old records and files should be regularly monitored and information destroyed when it is no longer necessary to keep it. Information on time limits for file retention is set out in the Privacy and GDPR policies. The same principles should be applied to confidential information in memos, briefing papers and minutes of meetings.

Use of Telephone

Care must be taken to prevent a personal caller from hearing or witnessing a conversation with another patient or carer.

When calling a person, volunteers must check that the person they want is the person they are speaking to **before** divulging information about the person or stating they are from GCUK.

Volunteers must gain verbal consent and record that this has been given with date and time of the call, before continuing. If consent is not given then the call must be ended.

Reference points

This policy should be read in conjunction with other relevant policies, in particular that on Data Protection Policy.

Guidance produced by the Charity Commission

Version Control - Approval and Review Policy owner: Mark Atlay – Secretary

Version No	Approved By	Approval Date	Main Changes	Review Period
1	Board	July 2024		Annually

Appendix 1

STATEMENT OF CONFIDENTIALITY

I confirm that I have received a copy of Gist Cancer UK's (GCUK) Confidentiality Policy and that I have read and understood it and will abide by this policy now and also when I have left this organisation.

I declare that, at all times:

a. I will keep confidential any personal client/user information I receive, or to which I have access, and will not disclose it without permission, and

b. I will keep confidential any information about conduct, proceedings or the financial status of GCUK and its Board of Trustees and Volunteers, paid and unpaid.

Signature: Date:

Name:.....