

Confidentiality and Data Protection Policy

Employees and volunteers of MAY will, in the course of their duties, have access to a considerable amount of personal information relating to children and parents. Compliance with this policy, and the accompanying Child Protection Policies, is therefore **a condition of employment or volunteering** with MAY.

MAY Confidentiality Statement

- Confidentiality is based upon mutual respect, trust and honesty.
- The boundaries of confidentiality are within The Yard Youth Club, on a strictly “need to know” basis (see below), unless:
 - permission has been sought from and granted by the young person or participants and a form has been filled in to record this
 - there are child protection concerns as set out in our Child Protection Policies.
- The same level of confidentiality applies in any matters relating to staff, volunteers and parents.
- Individual young people have the right of access to personal information in all their records in accordance with the Data Protection Act 1998.
- Good and appropriate information sharing is key to collaborative and appropriate interventions when supporting young people. We therefore share information with other agencies if the young person wants this and gives permission, or there is a duty to share.
- Each of us have the right to expect information of a personal nature be kept confidential. In return we have a duty to respect the rights of others. Any allegation of a breach of this policy that is brought to the attention of the senior youth worker will be considered a serious matter and investigated accordingly.
- MAY has an organisational duty to provide training and information so that all staff and volunteers understand their own responsibility to abide by this policy, and more generally, the importance of treating information in a discreet and confidential manner.

What we do

- Staff and volunteers will only share information between themselves on a need to know basis. Where it needs to be shared, it will not be discussed or used outside the team without the specific agreement of the young person (unless there is a duty to share information with other agencies – see below) and a form has been filled to

record this.

- Staff and volunteers agree to be open and honest about the Confidentiality Policy with young people, ensuring that they understand that confidentiality is held within the organisation rather than with an individual.
- All staff and volunteers must adhere to the law regarding abuse for those under the age of 18, whereby there is a statutory duty to inform the Devon Multi-agency Safeguarding Hub (MASH) of suspected or identified abuse. The permission of young people to share information if concerns emerge about their safety or well being should be actively sought.
- Staff have a duty to release/share information under the following circumstances:
 - Where there is a statutory duty to share
 - When there is evidence of serious risk to an individual
 - For the prevention, detection or prosecution of serious crime
 - When instructed by a court (Data Protection Act)
 - It is good practice to break confidentiality where a member of staff or a volunteer believes that a young person is 'at risk' of harm to themselves or others.
 - In the first instance the MAY Designated Safeguarding Officer should be informed so that an informed decision can be taken.

Staff and volunteers agree to follow the MAY Child Protection Procedure should any safeguarding concerns arise.

Parent/Carers

Parental consent is required for young people to attend The Yard Youth Club, but young people have the same right to confidentiality as adults.

A young person's information would not be disclosed to a parent/carer without the specific permission of the young person (unless subject to one of the exceptions detailed above). However it is good practice to work in an open and transparent way in partnership with parents.

The six principles of the General Data Protection Regulation (2018) are:



Data protection

It is necessary for MAY to collect contact information and basic health information about young people who attend youth club. Contact information is collected so that parents can be contacted in an emergency or in case of queries. This includes email. Essential health information such as food allergies, and other health conditions which may require additional procedures to reduce risk or improve accessibility, or which may impact on how young people engage with the service, is collected so that the youth club can provide the safest and best possible service. The information will only ever be used for this purpose and is never passed onto anyone else (principle of confidentiality) or used for routine newsletters without additional consent (principle of purpose limitation).

Parents/guardians and young people are asked to fill in a registration form when they begin to attend youth club. This ensures that the data we hold is accurate (principle of accuracy).

Notice is given to parents and young people when the young people register as members that this is a condition of membership and use of services, and why we need the information (principle of transparency).

We do not ask for information we will not require (principle of data minimalisation).

A single paper copy of the registration form is kept to maintain a register of membership (principle of storage limitation).

Additionally MAY records incidents, discussions and safeguarding concerns to maintain an accurate record of events. The records are kept to evidence the basis of decisions made by the youth work team, which may include child protection actions. Young people, parents and all other people involved will be asked to read and agree records of any sensitive discussions they are involved in. Unless required by law, sensitive information will never be shared beyond people who need to know within the organisation. A single paper copy of the data is retained.

Written Information:

- The Yard Youth Club (MAY) does not keep computerised records.
- Personal information is never left out when not in use and is kept securely in a locked filing cabinet.
- The Senior Youth Worker, Treasurer and Safeguarding Officer have access to the written records.
- Destruction of membership records: membership records are retained for three years then destroyed if the young person has not attended.
- Incident data: data of low-level sensitivity such as accidents and verbal warnings given to young people is maintained in the incident book. The forms can be filled in by staff and voluntary first aiders, they will be stored securely and filed by the Senior Youth Worker or Treasurer.
- Highly sensitive data: should safeguarding concerns arise, these are to be recorded in a separate data-secure book that can only be accessed by the senior youth worker and the Designated Safeguarding Officer.

Young people have a right to access all written information about themselves.