

CONFIDENTIALITY POLICY FOR HOMELESS ADVICE AND INFORMATION SERVICES

1. Aims and Objectives

Dundee City Council, Homeless Services Unit, aims to conduct its business in an open and accountable manner whilst, ensuring that personal confidentiality is maintained.

We will hold all personal information under strict legal and ethical obligations of confidentiality. We will not disclose information that is given to us in confidence in a form which might identify the service user (or other identifiable individual) without his or her consent.

2. Introduction

You have the right to expect our services to hold any information that you provide will be held in confidence. Our handling of personal information will;

- Promote, support and protect the privacy, dignity and rights of our service users.
- Command the support of service users, the public, volunteers and partner agencies.
- Comply with best practice.
- Conform to the law.
- Promote the care and welfare of service users and the effective operation of the homeless advice and information service.

3. Other Considerations

We accept that you may be reluctant to give the information we require if we do not give an assurance about confidentiality. We will discuss with you why we need the information and the purpose it will be used for in connection with your enquiry or case.

4. Legal and Professional Obligations

All staff have a statutory obligation to safeguard the confidentiality of personal information. The relevant legislation includes the Data Protection Act 1998, the Human Rights Act 1998, common law and employment law. It is also central to professional codes of conduct. All staff are aware that any breach of confidentiality may be a matter for disciplinary action or provide grounds for complaint or private legal action against them by the individual(s) concerned.

5. General Principles

- When we have fully informed you about the range of uses the information you have provided will be used for, we do not need to seek your specific consent each time we pass on information which directly relates to your case.
- We will only use the information for the consent that you have given.
- Children and young people of all ages have the same rights to confidentiality as adults.

6. **Consent by the Service User**

- We will make sure you are aware of the agencies or individuals that we are likely to share information with at the beginning of the process.
- We will advise you of any exceptional circumstances in which we may need to share information without your consent or prior knowledge (as detailed within paragraph 7)

7. **Exceptional Circumstances**

Disclosure of personal information without your consent may be justified where failure to do so may expose you or others to risk of serious harm. We will always make every effort to gain consent but the health and safety of the individual has precedence over the right to confidentiality. Exceptional circumstances include:

- Child protection; staff should adhere to our child protection policy and guidelines.
- Protection of Children (Scotland) Act.
- Protection of vulnerable adults.
- Life threatening or dangerous situations where a young person:
 - ◊ May show signs of physical, emotional or sexual damage or;
 - ◊ Is at risk of significant harm or threatening suicide or;
 - ◊ Is threatening to kill or severely harm another person.
- The prevention, detection or prosecution of crime.
- Risk assessment of sex offenders.
- People who are missing and individuals who may be in need of protection.
- Prevention or reduction of risk to personal or public health.

There is a legal obligation to provide information in the following circumstances:

- Requirement by Police/Court.
- Requirement by a Children's Reporter or Hearing.
- Disclosure to Appointees.
- Whether to seek the views of investigating police officers, if the disclosure is related to an investigation of crime.

8. **Keeping Information Safe**

- All personal information about you and others (including family members, carers etc) is protected against improper disclosure at all times.
- When discussing you or your case, we will make sure that our staff cannot be overheard by anyone not bound by the same requirements of confidentiality as our staff.
- We will not leave material containing personal data, either on paper or on a computer screen, where it can be seen by other service users, unauthorised staff or visitors to the office.
- All case notes, files and information relating to you etc will stored in a lockable cabinet when access is not directly controlled or supervised.
- Computers will switched off or require password access to personal data when not in use.
- If your personal information is to be kept elsewhere other than the case file, it will be stored securely.