

Confidentiality & Data Protection



The Children and Young people attending Simon Says Child Bereavement CIO are of paramount importance and their welfare must be considered at all times.

The EU data protection regulation **General Data Protection Regulation** (GDPR) governs the processing of personal data held by organisations. Rules are different for different kinds of information and its purposes. We may keep anonymised information.

There is an appointed Trustee who acts as the Data Protection Officer (DPO).

Simon Says Child Bereavement Service (CBS) has access to information concerning many families and individuals and it is therefore imperative that the strictest confidentiality is maintained at all times.

Information about individuals

Simon Says CBS is committed to being open and transparent about what the data we hold will be used for and to ensuring confidential services to all individuals. We will process and maintain personal data about employees, volunteers, organisations, families and individuals. Unless expressly authorised for disclosure, personal data will not be disclosed to anyone else other than authorised employees and volunteers or regulatory authorities.

Simon Says receives and stores personal information provided by our service users, employees, volunteers, donors and supporters. This may be supplied to us in writing, via email, via the telephone or through our website and social media. We may also receive information about you from third parties, for example, schools, GP's or another third party organisation who refers you to the charity for support.

We will take reasonable steps to ensure that the personal data processed is accurate and not excessive. Paper copies of personal data is stored in locked filing cabinets. Personal data held and maintained on the database is stored confidentially and access is only possible by password. It will not be removed unless requested by you. You can help us keep our records up to date by letting us know when you have a change in details.

Confidential information will not be sought from a service user unless expressly in the interests of that user, i.e. to enable a better service delivery. It shall be adequate, relevant and not excessive in relation to the purpose for which it is processed.

Information will only be passed to another agency or to other individuals outside the charity with the consent of the user. However, in order that we can provide the best possible help to our users it may be necessary to share information with an employee or volunteer within Simon Says CBS. Arrangements would be made to ensure that data is being sent to a secure email rather than personal email address. If an employee or volunteer intends to get information from another agency to help the user or to refer them to another agency then this must be explained to the user and their permission given.

No personal information about employees, volunteers or service users will be given to any third party including a member of their family, without the consent of the user. Information will only be divulged on a "need to know" basis.

In no circumstances should details of a user be discussed with anyone outside of the Charity in such a manner that it is possible to identify the user.

Review 2022 (unless legislation changes)

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We only use personal information for direct marketing purposes if we are allowed to do this by law or we have consent.

Limits to service user confidentiality

In certain circumstances Simon Says CBS reserves the right to break confidentiality should this be deemed necessary. These circumstances include but are not limited to:

- If an employee or volunteer believes that a user could cause danger to themselves or to others.
- If an employee or volunteer suspects abuse or has knowledge of abuse.
- If the user gives information which indicates that a crime has been or may be committed.
- If disclosure is required by law, for example, by the police.
- If a person is felt to lack the mental capacity to make a decision. In such cases staff or volunteers will discuss the circumstances with a manager and they will only act in the user's best interest.
- If the user gives information which indicates a possible terrorist threat.

The decision to break confidentiality will be taken on a case by case basis and always in conjunction with a manager or trustee.

Storage of information

Contact forms will be stored by the relevant group lead in a locked filing cabinet that only they have access to. The forms will be made accessible to the volunteers for the group session. They will be kept by the group lead for up to 1 year after the last session the child attended. They will then be stored for a further 2 years in the central office by Simon Says. If there is no attendance or communication about or from the service user(s) then the information will be automatically deleted after 3 years unless there is a legal reason for keeping it. We do keep anonymised information for reporting purposes only.

Access to data

This Policy operates on a "need to know" basis and apart from employees, volunteers or external organisations for reasons of safety no-one will have access to service user or organisational information without express consent from the individual. Those handling personal or confidential information will be suitably trained and supervised.

Users have the right to find out what personal information Simon Says hold about them, and to ask for a copy of that personal data. If any party concerned has a cognitive, sensory or physical impairment, we will make reasonable efforts to ensure that all aspects of this policy and exchanges between parties are understood by all concerned. Inaccurate data will be corrected or removed and users may seek compensation where they suffer damage or distress as a result of any breach of the Act by the Charity.

A user's request to see their personal data should be made in writing to Simon Says, Suite 3, Chatmohr Estate Office Village, Crawley Hill, West Wellow, Hampshire SO51 6AP. We charge a fee of up to £10 or such higher amount as permitted by law from time to time before access can be granted. The Charity also reserves the right to make further enquiries of you in order to satisfy ourselves as to your identity and to help us locate the data that you have requested.

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The data covered by the confidentiality policy includes information about families or individuals, for example, service users, volunteers and staff whether recorded electronically or in paper form.

Significant breaches of this policy will be handled under the Simon Says complaints procedures.

[Simon Says - Complaints procedure Jan 18.docx](#)