

# Bridgewater Housing Association Ltd Policy

Approved by  
committee on

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Ref:

HSS02

**Confidentiality**

## **1.0 Introduction**

- 1.1 As a housing support provider, the Association holds confidential information on current tenants (and to a limited extent on former tenants) who use our sheltered housing service. This information will generally be provided by services users themselves, their next of kin, and agencies who provide additional support and care.
- 1.2 Such information may be stored in paper and electronic format and the Association has a duty to ensure that data is securely stored and accessed only by relevant staff in the context of delivering the housing support service. Data protection matters are dealt with separately under the Association's Data Protection Policy/GDPR compliance.

## **2.0 Our Aims**

- 2.1 The aim of this policy is to ensure that housing support staff recognise and understand the importance of confidentiality when dealing with personal information on service users, and comply with our statutory obligations.
- 2.2 Furthermore, we aim to ensure that our Housing Support Service embraces the principles set out in the Scottish Government Health and Social Care Standards for Housing Support Services and the Scottish Social Services Council Codes of Practice for Social Service Workers and Employers revised in November 2016.

## **3.0 Legal Framework**

- 3.1 Under the Regulation of Care (Scotland) Act 2001, the Scottish Commission for the Regulation of Care (The Care Inspectorate ), known as Social Care

and Social Work Improvement Scotland from April 2011, was set up to ensure that those who use support services receive good quality support. All service users should be treated with dignity, and have privacy and choice. In addition, they must be allowed to realise their potential and have equality and diversity recognised.

3.2 Housing Support providers are required to meet the 2017 Health and Social Care Standards set by Social Care and Social Work Improvement Scotland. Standards 2 and 3 are particularly relevant to this policy and contain the following responsibilities with regards to confidentiality in supporting sheltered tenants:

- *I am fully supported about what information is shared with others about me.*
- *I am confident that the right people are fully informed about my past, including my health and care experience, and any impact this has on me.*
- *I benefit from different organisations working together and sharing information about me promptly where appropriate, and I understand how my privacy and confidentiality are respected.*

3.3 The Scottish Social Services Council Codes of Practice for Social Service Workers and Employers state, in relation to confidentiality that:

- As a social service employer you must have written policies and processes in place to protect people who use services and carers, and to support social services workers. This includes: Put into action and monitor written policies and procedures, particularly about reporting allegations of harm or abuse to the relevant authority.
- The Codes state as a social service worker you must respect confidential information and clearly explain employer's policies about confidentiality to people who use services and carers.

3.4 This policy complies with the requirements of the Data Protection Act 2018 (DPA 2018), the General Data Protection Regulation (GDPR) and other relevant legislation.

#### **4.0 Storing of Information**

- 4.1 Housing Support Staff will store and retain confidential information in accordance with the Association's Data Protection Policy/GDPR compliance.
- 4.2 We will ensure that confidential information on service users is not disclosed without the permission of the owner of that information.
- 4.3 Confidential Information can include personal, financial and medical details, in addition to information relating to tenancy issues.
- 4.4 Personal information will be requested, recorded and retained only if it is relevant to the housing support service and to the purpose for which it is given, and it is in the interest of all parties for the service to hold such information.
- 4.5 Staff may retain additional information on file, such as risk assessments, where this is relevant to the delivery of the housing support service.
- 4.6 Information on former tenants will be held in accordance with the requirements of the Association's Data Protection Policy/GDPR compliance.

## **5.0 Sharing of Information**

- 5.1 It is essential that service users are aware of their rights and our responsibilities with regards to the sharing of information. Service users must be informed of this when their Personal Support Plans are being completed. Consent to share or withhold information forms part of these documents.
- 5.2 Information will only be shared with third parties where the need is essential - for example, where a vulnerable adult is believed to be at risk or has lost capacity, or where the service user has given permission for staff to share their information. Where information is to be exchanged with other agencies this will be done within agreed guidelines. Information disclosed will be limited to factual data and be strictly relevant to the enquiry. Such information will be disclosed under the guidance of a senior member of staff.

## **6.0 Operational Practice**

- 6.1 Staff will ensure that all interviews and conversations about personal, confidential or contentious issues are carried out in private.
- 6.2 The Association is committed to storing and disposing of all personal information in a responsible and secure manner and will therefore hold data for the minimum time necessary to fulfil its purpose.

## **7.0 Staff Training**

- 7.1 The Association will provide appropriate training to housing support staff on confidentiality. This training will be included within the induction process for new staff.

## **8.0 Equality and Diversity**

- 8.1 The Association's strategy is to ensure that our Equality and Diversity Policy is applied fully, fairly and consistently across the Association, as an integral part of business planning processes and the services we provide. It recognises that all people are different and aims to ensure that we treat each individual with dignity and respect. To achieve the aims of our overall strategy we will take action to address discrimination experienced by particular groups, as well as action to promote and achieve diversity in employment, governance and service delivery.

## **9.0 Monitoring**

- 9.1 The Housing Support Co-ordinator will have overall responsibility for the implementation of this policy. This will be achieved by regular monitoring of data retention in each Development.

## **10.0 Tenant Consultation**

- 10.1 As a result of the tenant participation provisions in the Housing (Scotland) Act 2001, we are statutorily obliged to consult with tenants on changes to our housing management policies.
- 10.2 The Scottish Social Housing Charter requires social landlords to manage their businesses so that:
- Tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides.
- 10.3 While this policy does not fall under housing management, we will undertake to consult our sheltered tenants over any significant changes to this policy.

## **11.0 Monitoring and Review**

- 11.1 This policy will be reviewed every three years or sooner should there be a significant change in legislation or good practice.