



Openness & Confidentiality Policy

Approved on: 19th May 2016
Board of Management

Effective from: 1st June 2016



Bield Housing & Care, 79 Hopetoun Street, Edinburgh, EH7 4QF

Scottish Charity SC006878

Introduction

This policy sets out Bield's commitment to openness while respecting confidentiality. It is designed to strike a balance between openness and transparency while ensuring the need for confidentiality in certain circumstances. Organisational information on how Bield performs, which is not commercially sensitive, should be openly available. All personal information that is not a matter of public record should be kept confidential in compliance with the Data Protection Act (1998).

Purpose

The purpose of the Openness and Confidentiality Policy is to set out the principles that must be observed by anyone who has access to personal and confidential information on behalf of Bield; Employees, Casual Workers, Volunteers, Board and Committee Members. Everyone needs to be aware of their responsibilities for safeguarding confidentiality and preserving information security.

Principles

Encourage a culture of openness and transparency by minimising restrictions to accessing information and making information on Bield's performance widely and freely available.

Respond to all reasonable requests for information and only restrict access to information considered commercially sensitive or personally confidential.

Provide and document clear reasons for any decisions regarding either granting or denying access to information.

Ensure customers, employees, casual workers and volunteers are aware of what information they are entitled to see and how they can obtain it.

Ensure information is easily identifiable as confidential or personal.

Protect personal and confidential information effectively against improper disclosure when received, stored, processed or disposed of.

Only allow access to personal and confidential information on a need to know basis.

Respect information provided in confidence.

Roles and Responsibilities

All Bield employees, volunteers, casual workers, Board and Committee members are responsible for ensuring compliance with this policy and any related procedures.

Line Managers

Are responsible for ensuring that this policy and its supporting procedures are built into any operational processes and that there is an on-going compliance.

Strategic Support Services

Are responsible for ensuring we make information on Bield's performance readily available.

Information Management Officer

Is responsible for ensuring the principles of this policy are embedded throughout Bield, and the monitoring of its effectiveness. The Information Management Officer is also responsible for Bield's compliance with the Data Protection Act (1998).

Legal and Regulatory Requirements

Bield must comply with the following legal and regulatory requirements regarding the sharing and protecting of the information we hold.

- Data Protection Act 1998
- Housing (Scotland) Act 2001
- Human Rights Act 1998
- Scottish Housing Regulator Standards
- Scottish Social Housing Charter Outcomes
- Scottish Public Services Ombudsman Act 2002
- Environmental Information (Scotland) Regulations 2004
- Privacy and Electronic Communications Regulations 2003

Communication of Information

Information will be made available through a variety of methods appropriate to the information in question, including the Bield website, regular newsletters, Tenants' handbook, and forums such as the Partnership, Owners or Employee.

All information will be available in accessible formats when requested and where possible written in plain English without the use of unexplained abbreviations, jargon or technical language.

Requests for Information

In addition to information made regularly available, and information that we legally must provide on request, Bield will endeavour to comply with any reasonable requests for information. Bield will action any request for information, within a reasonable time scale, unless it is prevented from doing so by any confidentiality reasons outlined in this policy.

The cost and effort involved in responding to any request for information will be the main consideration for Bield when deciding what a reasonable request for information is.

Housing Associations in Scotland Bield are currently exempt from the Freedom of Information (Scotland) Act 2002 and have no legal obligation to respond to any requests for information. Any requests received under this act will however be considered under this policy and we will endeavour to respond to reasonable requests for information.

Confidentiality

Although fully committed to the principles of openness and transparency, Bield recognise the need to maintain confidentiality in respect to certain information.

It is not possible to list all types of confidential information; the following will be regarded as confidential:

- All personal information held about individuals.
- Personal information held about employees relating to their employment such as recruitment, remuneration, absence or employee relation cases.
- Information that, if shared inappropriately, could be detrimental to the personal, commercial or contractual interests of Bield, its customers, employees and contractors.
- Information relating to legal disputes
- Information relating to any tendering process

Our employees have access to information about Bield, about people and about other organisations and they are required to keep this information confidential. Employees should not use any information that they hold in the course of their employment for any reason other than the performance of their employment duties.

Confidential information must not be used for personal gain or benefit, nor passed to others who might use it in such a way.

Confidential information must not be passed on to people who have no need or right to know it.

Breaches of Confidentiality

Any breaches of confidentiality, whether deliberate or unintentional, may be considered under Bield's disciplinary procedures, and may result in disciplinary action being taken, including dismissal. This will not include issues properly raised under the Whistleblowing Policy.

Suspected breaches of confidentiality or this policy will be reported to the Information Management Officer.

Complaints

If an individual wishes to make a formal complaint about how Bield apply this policy, a copy of the Complaints Procedure is available on request or on the Bield web site.

Equality and Diversity

In operating this policy, Bield seeks to achieve equality of opportunity and will not discriminate against anyone on grounds of age; disability; gender re-assignment; pregnancy and maternity; race, including ethnic or national origin, colour and nationality; religion or belief; sex and sexual orientation.

Related Policies & Procedures

Openness & Confidentiality Procedure

Data Protection Policy & Procedure

Environmental Information Procedures

Social Media Policy

Media Handling Procedure

Whistleblowing Policy

Information Security Policy

Disciplinary & Dismissal Procedure

Policy Review

This policy will be reviewed every 3 years.