



## **ORE VALLEY HOUSING ASSOCIATION**

### **OPENNESS AND CONFIDENTIALITY POLICY**

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# **ORE VALLEY HOUSING ASSOCIATION**

## **OPENNESS & CONFIDENTIALITY POLICY**

### **INTRODUCTION**

Ore Valley Housing Association recognises that as a public funded body it should be open in its dealings and accountable for its actions. At the same time, it recognises its duty to tenants and other members of the public, Scottish Government, the Scottish Housing Regulator, Local Authorities, and commercial contacts, to keep personal or sensitive information confidential.

The Nolan Committee set out four main elements of “Best Practice” - open appointments to the Board, codes of conduct, Whistleblowing procedures, and openness. Open appointments to the Association’s Board are guaranteed by the Association’s Rules, and a Whistleblowing Policy is in place. Members have adopted the SFHA Committee Member Code of Governance, and there is a Code of Conduct Policy.

The Association has always made public its Annual Reports and various key policies are publically available. This Policy formalises the Association’s commitment to openness, whilst balancing the competing requirement of confidentiality.

### **OPENNESS**

There will be a presumption that all non-confidential minutes of Board and Committees will be publicly available.

Committee reports will only be marked CONFIDENTIAL where they concern for example:

- Contemplated or actual legal proceedings.
- Commercial negotiations or transactions.
- Information relating to any individual (staff or public), private or public company.
- Strategy and organisational structure.

Confidential reports will not be available to the public. The minute will be divided to separate confidential from public items. The confidential minute will be available only to Board members and the Management Team, where appropriate.

An Annual Report will be published, and the Annual Accounts made available.

The availability of all public documents etc will be publicised on the Association's web site, in the Association's Newsletter, and in its offices. Whilst no charge will be made for copying documents, all applications for minutes etc. must be accompanied by a SAE. The time and cost of meeting such requests will be monitored and if necessary, a charging structure introduced to recover costs.

The requirements of the Data Protection Act will be upheld and a procedure for dealing with its requirements will be maintained.

## **CONFIDENTIALITY**

Confidentiality is a matter of good professional and personal conduct, in expression of the principle of respect that underlies all our work. It requires that staff, volunteers and Board members do not pass on information to people who have no right to it.

During the course of work, staff, volunteers and Board members will have access to facts and opinions about customers, members of staff and the Association. These must not be divulged, intentionally and great care must be taken to ensure that confidential information is not divulged unintentionally, to anyone who does not both need and have a right to know them.

Staff, volunteers and Board members have

- a responsibility to ensure that any conversation about confidential matters takes place without being over-heard.
- a responsibility to ensure that confidential documents are kept secure from unauthorised access.

## **CONFIDENTIALITY & CUSTOMER CUSTOMERS**

The term customer is used to refer to anyone who receives, or applies to receive, services from the Association. Their right to privacy will be respected.

However, staff have a responsibility to inform other staff of any significant risks they are aware of that may be posed through contact with a customer. If possible the customer's permission should be sought before passing on such information.

Where customers are receiving housing support or care services, the Association has a duty of care that may require information to be passed on to other staff or to external professionals or relatives who are involved with the customer. In such cases information about customers will be restricted to those who are involved with the customer and who need to know it.

Where appropriate, the customer's permission will be requested to disclose information, but in some circumstances their wishes may not be binding. As a matter of course, staff may discuss customers with managers, or colleagues where working as part of a team.

## **CONFIDENTIALITY & STAFF**

Working relationships are based on trust and mutual respect. Staff, volunteers and Board members will not talk about one another in ways that might damage this.

Supervision and Appraisal sessions will remain confidential, Any breach will be treated most seriously and may result in disciplinary action.

The Chief Executive Officer (CEO) along with the Corporate Support Team will hold personal, salary and pension details relating to current and former staff. No other staff or Board member will have access to such details without the express permission of the staff member concerned or in exceptional circumstances in the case of disciplinary or compassionate matters where decisions are required at executive or Board level.

## **CONFIDENTIALITY AND THE BOARD**

Personal details relating to Board members will be held by the CEO and the Corporate Support Team and access to such information will be controlled by the CEO. No disclosure of Board members personal details, i.e. home phone numbers, will be made to any third party without the knowledge and consent of the individual involved.

## **CONFIDENTIALITY AND TENANTS**

The Association maintains comprehensive records in respect of its tenants and other customers, which are held on both paper and electronic files. The Association's staff are authorised to access only those files necessary to facilitate the delivery of an efficient and effective service within their area of operation. The Business Development Manager on the authority of the CEO controls I.T. system access.

Information relating to individuals will only be discussed with that individual and no information will be released to third parties unless it is allowable under current data protection legislation or has been authorised by the individual concerned.

Where the Association's management team report individual tenant details to the Board all name and address references will be removed.

Under no circumstances will specific details relating to identified tenants be discussed unless the individual themselves wishes it to be the case.

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Staff and Board should not discuss or otherwise reveal any information relating to individual tenants and other customers with third parties at any time. In the case of Board members receiving enquiries from tenants and other customers, the individual should be advised to contact a staff member rather than dealing with the enquiry themselves.

## **CONFIDENTIALITY & ORE VALLEY HOUSING ASSOCIATION**

The Association staff will not speak to the media (press, radio, TV) about the Association, its interests, staff or customers without prior authorisation from the CEO in the absence of the CEO the Depute CEO should be consulted.

Formal processes including staff recruitment, appraisal, grievance and disciplinary action will be treated as confidential, and will not be discussed with anyone within or out with the Association other than appropriate staff.

All staff, volunteers and Board Members will maintain confidentiality, as outlined above, at all times. Failure to do so, by deed or omission, may, amongst other things, damage customers' interests, staff morale, professional relationships and the Association's reputation. It may be considered as gross misconduct and could result in dismissal or removal, depending on the circumstances.

## **POLICY REVIEW**

The Policy will be reviewed every five years, or sooner in line with changes in Best Practice.