

Appendix 5

Confidentiality & Recording

Confidentiality is an issue which needs to be discussed and fully understood by all those working with children and adult at risk of abuse, particularly in the context of safeguarding. An employee or volunteer must never guarantee confidentiality to anyone about a safeguarding concern (including parents/carers) or promise to keep a secret. In accordance with policies, where there is a child protection or adult at risk of abuse concern, this must be reported to the appropriate manager in the individual's service area and for Volunteers the principle safeguarding officer. This may require a further referral to, and subsequent investigation by, appropriate authorities.

Information on safeguarding cases may be shared by the lead with other relevant employees or volunteers. This will be on a 'need to know' basis only and where it is in the child's or adult's best interests to do so.

Records of discussions should be made, shared and destroyed in line with GDPR/ Data Protection Act and advice can be sought from the Principal Safeguarding Officer in this regard or the Data Governance Manager

Where there are concerns about the safety of a child or adult, the sharing of information in a timely and effective manner between organisations can reduce the risk of harm. Whilst the GDPR places duties on organisations and individuals to process personal information fairly and lawfully, it is not a barrier to sharing information where the failure to do so would result in a child or adult at risk of abuse being placed at risk of harm. Similarly, human rights concerns, such as respecting the right to a private and family life would not prevent sharing where there are real safeguarding concerns. Fears about sharing information cannot be allowed to stand in the way of the need to safeguard and promote the welfare of children or adults at risk of abuse or neglect. If an employee or volunteer has a concern about a child/adult's immediate safety, they should share this with the Local Authority or police in line with local procedures. They should ensure that the following is also undertaken.

- i. All safeguarding concerns about a child or adult at risk must be fully recorded in writing in the appropriate case file, in a separate section marked 'Strictly Confidential'. Social Work/Mentoring has its own procedures and IMP recording system
- ii. In the case of volunteers, all safeguarding concerns must be escalated through the

Single Point of Contact (SPOC) safeguarding option No4.

The Volunteer is also encouraged to speak with their Branch Secretary or Chair for advice

- iii. The Principle Safeguarding officer/equivalent other on call will speak directly to the Volunteer raising concerns.
- iv. This contact will be noted in a safeguarding log.
- v. Case records should only contain information relevant to an individual/ family. The record should clearly state whether the information recorded is fact, third-party information or professional opinion.
- vi. Those supervising employees and volunteers who are involved in safeguarding children/adults work should make at least monthly checks to ensure that case recording is up to date.
- vii. The Director Volunteer Operations in partnership with the Principle Safeguarding Officer will review all recorded safeguarding concerns in the volunteer network that are escalated through SPOC every month and audit every three months.
- viii. Case records should be seen by the manager at regular intervals i.e.: every three months with an indication that the case is up to date and the case plan appropriate to the client's needs. Health and Social Care has its own procedures following IMP guidance and Supervision Procedures.
- ix. All case recordings should be stored electronically. Handwritten notes are often difficult and time consuming to read and should be the exception. Appropriate data protection policies must be in place and compliant with extant GDPR regulations.
- x. All safeguarding information relating to a patient, service user or client must be held securely in one place.
- xi. All records should conform with the requirements of the Data Protection Act (1998) and the General Data Protection Regulation (2018) and the Human Rights Act (1998). Information shared within SSAFA must be "on a need to know" basis.
- xii. Any file may be accessed by a court of law in care and/or criminal proceedings. Employees and volunteers may be called upon to give evidence in court and the importance of clear, accurate and detailed case notes cannot be over emphasised.
- xiii. Any concerns could escalate and be a reputational risk, the PR Team should be told **only if this is or is likely to be a concern** at the earliest opportunity using SSAFA's 24/7 PR hotline on 020 7463 9321.

The 7 golden rules for sharing information (Guidance for practitioners and managers 2008)

- 1. Be open and honest unless it is unsafe/inappropriate**
- 2. Data protection is not a barrier**
- 3. Seek advice**
- 4. Share with consent where appropriate.**
- 5. Consider safety and well being**
- 6. It should be necessary, proportionate, relevant, accurate, timely and secure**
- 7. Always keep a record**