

Confidentiality Policy and Procedure

Trinity Money Advice Leicester (“TMAL”) is committed to providing a confidential advice service to its users. The principles of confidentiality must apply across all aspects of services and management. TMAL’s users deserve the right to confidentiality to protect their interests and safeguard TMAL’s services. Copies of the Confidentiality policy will be available on request.

1 Definition of Confidentiality

- 1.1 TMAL understands confidentiality to mean that no information regarding clients shall be disclosed to a third party without the client’s prior consent.
- 1.2 Information may only be shared between TMAL volunteers. However, see section 5 for details of instances where confidentiality may be breached.

2 Statistical Recording

- 2.1 TMAL is committed to effective statistical recording of clients to enable monitoring of the take-up of service.
- 2.2 It is the TMAL Manager’s responsibility to ensure all statistical records given to third parties, such as to support funding applications, monitoring reports for the local authority etc shall be produced in anonymous form, so individuals can not be identified.

3 Case Records

- 3.1 It is ultimately the TMAL Manager's responsibility to ensure all case records are kept in locked filing cabinets. All case records must be locked away at the end of each session; this is the responsibility of the volunteers on duty in the absence of the TMAL Manager.

4 Expressed Consent to Give Information

- 4.1 Clients will be required to enter into a signed agreement before any action is taken by TMAL.
- 4.2 TMAL advisers are responsible for checking with clients if it is acceptable to call or write to them at home or work in relation to their case. All volunteers must ensure they make no reference to TMAL when making telephone contact with clients.
- 4.3 All details of expressed consent must be recorded on the case file.

5 Breaches of Confidentiality

- 5.1 TMAL recognises that occasions may arise where individual advisers feel they have a legal or moral obligation to breach confidentiality.



- 5.2 Examples of situations where confidentiality may need to be breached include, but are not restricted to, suspected cases of: benefit or other fraud, tax evasion, engagement in criminal activities or where clients are considered in danger of causing harm to themselves or others.
- 5.3 On occasions where an adviser feels confidentiality should be breached the following steps must be taken:
- 1 The adviser should raise the matter immediately with the TMAL Manager, explaining why they feel confidentiality should be breached and the consequences of breaching confidentiality. The TMAL Manager should take a written note of the discussion.
 - 2 The TMAL Manager is responsible for discussing with the adviser what options are available in each individual case.
 - 3 The TMAL Manager is responsible for making a decision on whether confidentiality should be breached.
 - 4 If the advisers decide that confidentiality may need to be breached, they should contact the client to inform them of their concerns and seek the co-operation of the client in any action to be taken. Please note, however, that there are some activities that are covered by legislation specifically preventing a client being informed that confidentiality is being breached e.g. suspected money laundering activities.
 - 5 If the client is unwilling to co-operate with TMAL, this may lead to the termination of their agreement.

6 Legislative Framework

- 6.1 TMAL will monitor this policy to ensure it meets statutory and legal requirements including (but not restricted to) the Data Protection Act, Children's Act, Rehabilitation of Offenders Act, the Money Laundering Regulations and Prevention of Terrorism Act.

7 Ensuring the Effectiveness of the Policy

- 7.1 All advisers and Management Team members will receive a copy of the Confidentiality Policy. Existing and new workers will be introduced to the confidentiality policy via induction and training. The policy will be reviewed annually and amendments should be proposed and agreed by the Management Team.

