

Aim of Policy

Music24 is committed to maintaining high standards of confidentiality in all aspects of our work. The organisation holds some confidential information. This is provided by, or derived from individuals accessing our services, voluntary/community organisations, members of the public, third parties and staff.

1. Objectives of Policy

- 1.1 To ensure that confidential records are properly managed.
- 1.2 To ensure that confidential information is only released in accordance with our Data Protection Policy, legislative considerations, best practice and guidelines set out by the organisation.
- 1.3 To ensure that information is only disclosed with the informed consent of the person or organisation to whom the information relates, with the following exceptions:
 - when, by law, we must share information, for example with the Police or Safeguarding Teams;
 - in an emergency, when public safety is at risk and when information is required by the police to prevent or detect crime.
- 1.4 To promote a policy that respects commercial sensitivity

2. Statement

- 2.1 The use of information that Music24 collects and processes will be used to provide a service or carry out an authorised or requested transaction.
- 2.2 Music24 will not sell, trade, rent or lend confidential information to anyone. .
- 2.3 Music24 may become privy to certain business information, which will be treated in the same confidential manner as person specific information.
- 2.4 Confidentiality is essential because we recognise:
 - The people we support and the sensitive nature of some of their circumstances
 - The possible consequences for the organisation or individual if it is breached;
 - The rights of organisations and individuals to have control over information about them;

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- The duties placed on us whereby breaches of confidentiality could lead to formal complaints, grievance or disciplinary actions, or even legal action against us;
- Good practice and our standards for providing the right level of input and care.

3. Policy Principles

We will:

- 3.1 Justify the purpose – Every proposed use or transfer of information will be clearly defined and scrutinised, with continuing uses regularly reviewed by an appropriate guardian.
- 3.2 Not give organisation specific data to a third party.
- 3.3 Not use person specific information (unless absolutely necessary) – Person specific information will not be used unless there is no alternative.
- 3.4 Allow access to information on a strict need to know basis – Only those individuals who need access to organisational, personal and commercially sensitive information will have access to it, and they will only have access to the information items that they need to see.
- 3.5 Ensure everyone at Music24 is aware of their responsibilities – Procedures are in place to ensure that those handling information are aware of their responsibilities and obligations.
- 3.6 Understand and comply with the law – Music24 complies with The Data Protection Act 2018 in processing information. This policy will be reviewed regularly, ensuring that the organisation complies with all legal requirements.
- 3.7 Hold all confidential and personal information under secure and restricted conditions within the office.

4. Detail

The three main principles of the confidentiality policy are “informed consent”, “need to know” and “third party disclosure”. These principles apply both to members of the public and to members of staff.

4.1 Informed Consent

- Disclosure of personal information will only take place with the informed consent of that person. For consent to be informed, we will tell the member

of the public/staff why there is a need to share information, with whom it will be shared and the likely consequences of agreeing or not agreeing to disclosure.

- We will state clearly that the information given may need to be shared with others in order to be able to provide the service requested and that non-disclosure could mean that a person would not gain access to a service or to support to which they might otherwise have been entitled.
- We will inform those that come into contact with the charity of our Confidentiality Policy at the first point of contact and will always ask them to give their consent to permit the passing on of any personal information given, if necessary, on a “need to know” basis.

4.2 Need to Know

- The transfer of personal information relating to a member of the public/staff will be kept to a minimum on a “need to know” basis. Only those staff or other service providers who have a need to know, in order to provide relevant services, will share information and only after informed consent has been given.

4.3 Disclosure to Third Parties

- Personal information will only be disclosed to third parties with the express, written or oral, consent of the person(s) who is (are) the data subject(s). Disclosure will only be considered, and consent sought, where there are clear reasons why this should happen.
- We will ensure that the recipient understands the need for confidentiality and that disclosure only takes place on the terms agreed with the person it concerns.
- On any occasion when confidential information is provided by way of a written or an oral response, we will state that the information provided is CONFIDENTIAL and should be respected as such.

5. Procedure for Dealing with Breaches of this Policy

Any breach of this policy, intended or accidental, is not acceptable. Infringements of this policy will be dealt with seriously as disciplinary matter under Music24’s normal disciplinary procedures and may involve either informal or formal action depending on the seriousness of the case.

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The Policy in Practice

1. Any information acquired during attendance at Music24 music sessions, or during conversations either formally or informally whether face to face or via telephone (or any electronic media form) will be respected and treated under the terms of the confidentiality policy.
2. Details of sessions or other support sessions are confidential to the staff team. Such information will not be passed on to any third party, without exception unless the client concerned specifically requests this to be so.
3. Information discussed during meetings where third parties may be present should be treated with the same level of confidentiality. Third parties may include other health professionals, workers or managers from other agencies with whom Music24 shares or is likely to share clients, students undertaking work placement or visiting students in the course of their training, volunteers of Music24, other legitimate visitors working with or connected professionally to clients of Music24.
4. CONFIDENTIALITY WILL ONLY BE BREACHED IN THE FOLLOWING CIRCUMSTANCES:
 - 4.1 Music24 works in accordance with Safeguarding Children and Vulnerable Adults and will share information according to these policies. Any concerns regarding child or vulnerable adult protection shall be brought to the attention of management for their immediate action.
 - 4.2 The policy on confidentiality exists to protect the service user(s). In certain circumstances keeping confidentiality may result in harm to a service user (or other person). **Staff must bring all concerns to management for appropriate course of action to be agreed.**
 - 4.3 All concerns and action regarding the necessary breach of confidentiality shall be recorded within our data and case management system (currently Beacon CRM).
5. **Partnership working**
 - 5.1 Music24 is committed to partnership working for the benefit of its clients. Joint working protocols should be agreed and signed by appropriate people to allow the appropriate sharing of pertinent information to reduce the risk of potential harm to a person.

Equality and Diversity

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We aim to be an organisation that values, recognises and responds to the diverse needs of members and those we serve. We adhere to the Equality Act 2010 and will not discriminate against any person or other organisation with particular reference to the protected characteristics

Monitoring and Review

The Senior Management Team will regularly review the operation of this policy.

Agreed by Music24	
Signature	Date