

Confidentiality policy (Pt. 1) for Staff and Volunteers

NAME AND ADDRESS OF THE GURDWARA

Registered Charity Number XXXX

The aim of this policy is to communicate the commitment of the trustees to the promotion of the Confidential policy pt.1 at NAME AND ADDRESS OF THE GURDWARA and the hereinafter referred to as the XXXX.

XXXX align their principles and code of conduct on religious matters in line with Rehat Maryada.

XXXX respects the confidentiality of both individuals and organisations that use its services and takes practical measures to ensure confidentiality. Where it is necessary to break confidentiality, XXXX acts responsibly, sensitively and consistently.

**Data Protection Act Provisions**

* This Act makes provision about the processing of personal data.
* Most processing of personal data is subject to the GDPR.
* Part 2 supplements the GDPR (see Chapter 2) and applies a broadly equivalent regime to certain types of processing to which the GDPR does not apply (see Chapter 3).
* Part 3 makes provision about the processing of personal data by competent authorities for law enforcement purposes and implements the Law Enforcement Directive.
* Part 4 makes provision about the processing of personal data by the intelligence services .
* Part 5 makes provision about the Information Commissioner.
* Part 6 makes provision about the enforcement of the data protection legislation.
* Part 7 makes supplementary provision, including provision about the application to this Act to the Crown to Parliament.

The Data Protection Act 1988 extended its data protection principles to cover paper filing systems as well as computer systems. Data subjects have to be told what information is being collected, the purposes for which it will be used and whether it will be made available to anyone else. They should sign their agreement to this wherever possible. The right of data subjects to see information about them is extended to information held in paper record-keeping systems as well as computerised systems. The data subject has to give consent to the information being kept, and the keeping of information has to be necessary to pursue the legitimate interests of the data controller or certain third parties. Where sensitive data, for example relating to racial or ethnic origin, health, sex life, political opinions, religious or other beliefs, and criminal convictions, is being collected, the data subject general has to give explicit consent. The SGSSC does not collect any sensitive data. The only data it stores is the members/visitors home addresses .

**What information is collected?**

The XXXX should collect only relevant information from service users. Standard forms are used to store the information. Volunteers should be informed of the purpose for collecting information – name and address so they can be put on a mailing list to receive the quarterly newsletter, phone number so we can follow up if necessary.

Regarding disclosure of criminal offences, under the Rehabilitation of Offenders Act, it is only acceptable to ask someone to declare spent convictions if they will be going to be working with vulnerable people, including children, young people, the elderly, the disabled, alcohol and drug misusers and the chronically sick. There are a range of positions working with or having responsibility for people under the age of 18 where a disclosure on certain offences makes the volunteer unsuitable, and it is an offence to knowingly employ, paid or unpaid, anyone with a conviction for crimes against children including murder, manslaughter, rape GBH and a number of sexual offences. Information must be held sensitively and securely, and be accurate, relevant and only disclosed when necessary.

There are occasions (and good reasons) why a XXXX may ask questions to gain personal information, for example to be able to advise a person about the best volunteering options to fit their particular personal circumstances. XXXX may request personal information in order to pass it on to others (with the informed consent of the individual) when XXXX sees its job as being advocate or helping to overcome the anticipated prejudices of third party recipients of the information. For example, it may be useful for an organisation to know how they can best support a volunteer if extra support is required. In general, this information should not be passed to an organisation without the volunteer’s consent. Volunteers should be encouraged to disclose themselves if it would help them get the extra support they need.

Comments recorded about the volunteer should be limited to relevant information, kept to help the interviewer remember the particular person and make it easy for another member of staff or interviewer following up the case to follow what has gone one before and assess what opportunities may be appropriate.

Information should be kept securely, in a locked filling cabinet or a database accessible only by password known to a restricted few.

The charity commission place additional responsibility on the appointment of trustees where a DBS (CRB) check can also be necessary. In brief the following information might need to be provided by a trustee:

“Some people are disqualified by law from acting as trustees, including anyone described in sections 178 to 180 of the Charities Act 2011. This includes: anyone who has an unspent conviction for an offence involving deception or dishonesty; anyone who is an undischarged bankrupt; anyone who has been removed from trusteeship of a charity by the Court or the Commission for misconduct or mismanagement; and anyone under a disqualification order under the Company Directors Disqualification Act 1986. Anyone who has entered into a composition or arrangement with their creditors which includes an individual voluntary arrangement (IVA), and is currently on the Insolvency Service Register. It is normally an offence to act as a trustee while disqualified unless we have given a waiver under section 181 of the Charities Act 2011, (there are some special provisions applying to the administration of charitable companies). Further information about disqualifications and waivers of disqualification can be found in our staff guidance OG41 and OG42 on our website. - See more at: http://www.charitycommission.gov.uk/detailed-guidance/trustees-staff-and-volunteers/finding-new-trustees-cc30/#6”

**Document Reference**

|  |
| --- |
| Document Signatories |
| Author(s) | Name / Role | Signature(s) | Date |
|  |  |  |  |
| Reviewer(s) | Name/Role | Signature | Date |
|  |  |  |  |
| Approvers(s) | Name / Role | Signature(s) | Date |
|  |  |  |  |

|  |
| --- |
| Document Amendment Record |
| Issue No: | Amendment detail | Author | Date | Approved |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

**CONTACT DETAILS**

Name of the Gurdwara / Organisation

**COPYRIGHT**

This publication is the copyright of Siri Guru Singh Sabha Croydon, registered charity no. 282163 registered in England. We want our resources to have the maximum impact, therefore you are welcome to reproduce or otherwise distribute this material in whole or part. We simply ask two things: (1) there must be no use for commercial gain, and (2) SGSS is clearly acknowledged with the following wording “Reproduced with permission from SGSS. www.croydongurdwara.co.uk”. If extracts are to be used in another context, permission should be sought in advance by emailing

General.secretary@croydongurdwara.co.uk or by telephone 020 86888155. Thank you.

**DISCLAIMER**

Whilst every care has been taken in the preparation of this material, Name of your Gurdwara cannot be responsible for action taken or refrained from in reliance thereon. It is recommended that appropriate professional advice be sought in each relevant individual circumstance.