

Confidentiality Policy

Purpose

To provide uniformity in practice for volunteers in terms of handling client data and project information securely and identifying in what instance confidential information may be disclosed.

1. The sex workers

1.1 Sharing information

- 1.1.1 Any information passed to any volunteer may be shared with other volunteers on a 'need to know' basis.
- 1.1.2 Discussion about any sex worker with other volunteers should be purposeful and not trivialising.
- 1.1.3 Discussion about sex workers with people outside of Rahab should be purposeful and not identify any individual.
- 1.1.4 Information given to any volunteer about one of the sex workers may be given to the sex worker's family or friends, or to any other agency **but only with the sex worker's informed consent**, unless exceptional circumstances prevail (see 1.4 below). This includes any information about whether or not someone uses the service that Rahab provides.
- 1.1.5 Reasonable care should be taken to ensure that discussions, conversations and telephone calls relating to confidential matters cannot be overheard.
- 1.1.6 Reasonable care should be taken when meeting one of the sex worker outside the hours of a normal Outreach session that confidentiality is maintained.

1.2 Recording in general

- 1.2.1 Any records which are kept relating to and identifying the sex worker must be stored securely, to prevent intentional or accidental viewing. Written records should be kept in a lockable cabinet. Computer records should only be accessible with a password.
- 1.2.2 Where a sex worker is receiving casework services s/he will be asked to complete a 'Consent to Store and Release Information' form.
- 1.2.3 Access to records is to be limited to the Steering Group only, unless a Team Leader is running an Outreach session and is using the folders to share information with other volunteers. Volunteers not on the Steering Group cannot access information in the folders at any other time unless a member of the Steering Group gives permission.

1.3 Recording in particular

- 1.3.1 Casework notes and documents will only be kept for two years after the last case-work related contact. After this a note of the sex worker's name and last known contact details will be kept in case of a future positive need for contacting them.
- 1.3.2 Any information that has been written with regards to anything to do with Child Protection or anything to do with any criminal incidents against a sex worker or a volunteer will be kept in locked storage indefinitely in case of criminal proceedings that are not time barred.
- 1.3.3 Any 'ugly mugs' information is to be kept indefinitely because of their potential use in criminal proceedings and will be stored as above.

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1.4 Confidentiality

1.4.1 Confidentiality may be breached only in the following circumstances and after consultation with the Project Manager, or if the former is unavailable, the Director of the Mustard Tree Foundation (unless someone is in imminent danger when confidentiality must be breached without prior consultation):

1.4.1.1 Where there is a risk of physical harm to anyone.

1.4.1.2 Where a child is judged to be at risk of sexual abuse, neglect or physical abuse.

1.4.1.3 Where it is in the sex worker's interest to do so and it is believed by Rahab that their consent would be given to share information but where it has not been possible to contact them for their informed consent or to get their prior consent because of their restricted cognitive capacity. In cases where it is established that a sex worker is receiving support services from Rahab, they will have had opportunity to discuss their preferences in respect of the use of information relating to their going through the 'Personal Details' form and signing the consent section.

1.4.1.4 Where there is a legal obligation on Rahab to disclose information; in these circumstances Rahab will take all possible steps to ensure that information regarding other sex workers is not disclosed without their consent.

1.4.1.5 Where it is absolutely necessary in order to maintain the reputation of Rahab for the benefit of the sex workers as a whole.

1.4.2 In cases covered by 1.4.1.1, 1.4.1.2, 1.4.1.4 and 1.4.1.5 the sex worker will be informed of the need to breach confidentiality prior to this happening or, in all instances, as soon as possible afterwards if prior notification is not possible.

1.4.3 Relationships with other agencies will be as cooperative as this policy allows.

2. Workers & Volunteers of Rahab

2.1 Sharing information

2.1.1 Workers' / Volunteers' home addresses and telephone numbers and other non-work related information will not be disclosed to sex workers or other enquirers.

2.1.2 Information about workers / volunteers is only shared within Rahab on a need-to-know basis.

2.1.3 Confidentiality will only be breached in circumstances recited at 1.4.1.1, 1.4.1.2, 1.4.1.4 and 1.4.1.5 above or if consent is given.

2.1.4 Worker / Volunteer information is kept in a locked cabinet (see Data Protection Policy).

2.2 Breaches of confidentiality

2.2.1 If a worker / volunteer has had to breach confidentiality, they will be asked to a meeting with the Project Manager and Director of the MTF and if they cannot satisfactorily explain that the breach was covered by any of the exceptions at 1.4 above, action will be taken whereby the worker / volunteer will be asked to go on a probation period of 8 weeks or 4 Outreach sessions that they attend or they may be asked to withdraw from the project immediately. If the worker / volunteer disagrees with this decision they should address a letter outlining the grievance to the Steering Group who must respond within a week offering them a meeting with two members of the Steering Group. The decision following this second meeting will be communicated to the worker / volunteer within the following 7 days.

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3. Applications

3.1 Applications

- 3.1.1 All potential workers / volunteers will complete a Rahab Application Form. Applicants will also be asked separately to disclose information about criminal investigations and convictions. All information from applicants will be shredded after three months if they are not accepted as workers / volunteers.
- 3.1.2 A full, enhanced CRB disclosure is required for all workers / volunteers. Rahab follows CRB guidelines on the retention and destruction of CRB disclosures.
- 3.1.3 All information relating to applicants, including our application forms, completed Disclosure Applications and CRB Disclosures are kept in a locked cabinet.

This Confidentiality Policy was written in January 2008 by Anita Hawthorne, and modified in August 2009 & again in May 2010 by Lorraine Joslin.