

Name:	Confidentiality Policy
Approved:	June 2018
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Version:	1.1 Change of address 1.2 Change of logo
Version Amendments:	Change of logo
Applicable to:	All Base 51 staff and volunteers

1. Purpose

1. The importance of rapport building with young people accessing Base 51 is essential so that they can talk to the staff about themselves, their circumstances, and their personal information without fear of reprisal, ridicule or that the information given will be passed on to anyone else.
2. Without clearly defined and implemented levels of confidentiality, it is unlikely that Base 51 will engage with young people that its services are targeted towards.
3. Base 51 recognises the importance of working with other agencies to ensure young people receive appropriate and coordinated support. This policy will cross reference the Base 51 Information Sharing protocol which underpins this.

2. Definitions

1. The Base 51 Staff Team includes all paid workers, all volunteers and students on placement at Base 51.
2. Confidentiality within Base 51 means any information disclosed/given to any staff member from or about an individual young person may be discussed within the staff team, but will not be passed onto a third party without that young person's consent or agreement, except in exceptional circumstances (see section 3).
3. The term 'information' means personal contact details, whereabouts, place of work or education as well as any other personal information.
4. The term '3rd party' includes other people or organisations, such as family members, friends, employers and other voluntary and statutory agencies or their employees.
5. The term 'consent or agreement' means either:
 - a. A young person has agreed for personal information to be shared with a third party.

- b. A discussion has taken place with the young person about why it is felt that there is a need for information to be passed to a 3rd party, and the young person has agreed for specific information to be shared with a 3rd party.

3. Exceptions

Exceptions to confidentiality within Base 51 fall into two categories:

- The type of information.
- The staff member that the information is given to.

3.1 The type of information

There may be occasions when exceptional circumstances prevail, for example when the person or a third party are at risk or in immediate danger. There is no prescriptive list to cover all occasions, but examples could be:

- Where the person concerned is clearly putting themselves at risk e.g., involved in an accident, suffering from a drug overdose
- Where the emotional or mental state of the person concerned is such that it puts their own or third parties lives or safety at risk
- Where a third party is at risk of danger or abuse, e.g., where a sibling is left within the family and is being abused
- Where the issue raised relates to Child Protection/Safeguarding, i.e., situations of abuse affecting young people under 18 years of age
- Where the young person has been reported as missing to the police
- Where there is a legal requirement to do so (e.g., terrorism, treason, schedule one offence etc.)
- Where the young person is under 16 and a parent or guardian is requesting their whereabouts¹

If you are unsure whether to disclose information to a third party a discussion should be held with the team leader on duty or your line manager.

If the young person refuses to make contact and there are no concerns (and the person requesting information is the person marked as the next of contact on Lamplight) the young person's whereabouts may be passed on by the team leader on duty. If the young person is not in the building but information is known to staff and it is safe to do so they may inform the parent/guardian.

Matters concerning abuse/possible abuse of any person(s) covered by The Children Act (1989) and/or The Children Act (2004).

The term 'serious harm' is defined as:

- Serious harm to self.
- Serious harm to another.

¹ Details of the caller should be taken and told the Team Leader on duty will call them back. If the young person is in the building this should be discussed with the young person with them being encouraged to make contact. The worker should be alert to any safeguarding concerns and whether it is safe for the young person to return home.

3.2 The staff member that the information is given to

The following staff are required by their professional regulating bodies to adhere by a slightly different contract of confidentiality.

The Counselling Manager/Clinical Supervisor is bound by the British Association for Counselling & Psychotherapy (BACP) ethical framework for good practice (or equivalent) code of ethics (copies available upon request). In practice this enables the counsellor to offer more complete confidentiality to young people, when working with individuals within a formal counselling framework. This takes the form of not discussing what is talked about within counselling sessions with any other member of the Base 51 staff, while reserving the right to discuss any issues arising from their clinical work with an external professional clinical supervisor and/or Base 51 Counselling Manager, Chief Executive or any other Designated Safeguarding Lead.

All Counsellors/Volunteer Counsellors are bound by the BACP (or equivalent) Ethical framework for good practice. In practice, counsellors also offer a more complete confidentiality to young people, when working with individuals within a formal counselling framework. This takes the form of not discussing what is talked about within counselling sessions with other members of the Base 51 staff team except the Counselling Manger and/or their Clinical Supervisor, the Chief Executive or Designated Safeguarding Leads. If a counsellor is receiving supervision from an external supervisor they will remove or change all identifying information about the young person. This may be in the context of supervision or seminars, as part of a training course, or as part of a written case study.

Any information collected/collated by the Base 51 Counselling Service either manually or electronically is stored appropriately and in accordance with the General Data Protection Regulations 2018 and Data Protection Act 2018.

The Counselling Manager, Clinical Supervisor and all Counsellors reserve the right to disclose information about incidents of serious harm.

4. Procedures for Policy Implementation

- 1.** Whenever possible, Base 51 staff will explain this confidentiality policy to all young people that they are working with. This should take place at initial meetings or induction into services. In addition, confidentiality notices are displayed in the building and is stated in the Base 51 membership information.
- 2.** If information is requested by a 3rd party, the young person's consent is required before that particular information can be disclosed (unless listed in the exceptions above). It may be that a young person gives consent for information to be made available without their first having been any specific request.
- 3.** If a staff member feels that the circumstances are serious enough to warrant breaking confidentiality, this will be discussed with the young person if and when possible. In practice, every effort should be made to get the consent of the young person to disclose information about them to a third person, but it is recognised that this may not always be possible.

4. Reserving the right to disclose particular information, either to another staff member or to a third party, does not necessarily mean that the information will be disclosed.
5. If the consent of the particular young person is not given, then no information about them will be disclosed to a third party without the approval of a Designated Safeguarding Lead. In such cases, the young person concerned will be informed of what action has been taken at the earliest possible opportunity.
6. If any staff member feels to be, or is being, pressured or harassed by a third party to disclose or withhold information about a young person, then the matter must be referred to a Designated Safeguarding Lead.
7. Wherever possible, confidentiality will be as absolute as is practical. No information about specific young people should be discussed within the staff team, or disclosed to a third party, unless it is necessary for the staff member to get support, advice, or to protect the young person or others in some way. Information should only be disclosed on a 'needs to know' basis.
8. Staff should be sensitive to the fact that young people who use Base 51 may not wish to have that fact acknowledged by a staff member should they meet in other circumstances.
9. The keeping and publicising of anonymous statistical information about Base 51 users is not considered to infringe this confidentiality policy.
10. Supervision of staff members, by internal or external supervisors, will be confidential, in line with this policy.
11. Base 51 operates in shared office spaces, where staff need to be aware when discussing young people, they may be overheard. All staff need to be discreet and ensure information about young people is not left on desks.

5. Record Keeping

1. It is essential that any disclosure of information is recorded in the young person's file in line with the Documentation and Record Keeping policy.
2. It is essential that staff only view and/or edit records where it is necessary for carrying out their day-to-day duties.
3. Any disclosure that would be considered an incident (e.g., calling of an ambulance or the police) should be recorded in line with the Incident Reporting procedures.
4. All records will be kept in line with the Data Protection Policy.

6. Infringement of this Confidentiality Policy

1. Infringement of this confidentiality policy or the guidelines for its implementation will result in disciplinary action being initiated against that staff member. Disciplinary action will take the form of the Base 51 Disciplinary Procedure.

7. Resource Implications

1. It is the responsibility of any staff member who supervises another staff member, to ensure that this policy has been made available to, and is understood by, their supervisee.
2. It is the responsibility of any staff member who has external supervision to ensure that this policy has been made available to, and is understood by their supervisor.
3. If a staff member infringes this policy and the matter is dealt with through informal discussions rather than through reference to the disciplinary procedure, then that staff member will be offered additional training, and it will be recorded through the supervision process to ensure that they do not infringe the confidentiality policy in the future.