

CONFIDENTIALITY POLICY

Confidentiality is an express term within individual contracts of employment. Employees specific obligations under this clause are clarified in their individual contracts. Failure to comply with the confidentiality clause within contracts of employment and breaches of confidentiality will be deemed as gross misconduct.

Employees, residents, service users, students, pupils' files, handover books, school records/files and other records contain confidential information, and all staff who are given access to these should treat them as such. These files should not be left unsupervised where they are likely to be seen by unauthorised people. NB. All files and information remain the property of Autism East Midlands and may not be removed from the premises without the prior permission of a member of the Senior Management Team. Where permission has been given, great care should be taken to prevent loss or damage and the time should be minimal.

All information kept on Autism East Midlands computers is stored in accordance with the Privacy and Data Protection Policy and is subject to the General Data Protection Regulations. This Act aims to protect individuals against the misuse or abuse of information kept on computers. Staff using computers should be aware of this and ensure confidential information is stored appropriately.

Staff should be aware of confidentiality when discussing aspects of their work with colleagues or others, both inside and outside of work. Staff should be particularly careful when discussing service users, students and pupils whilst visitors/parents are present.

Any use of video or photographic material (including use of mobile phones) for outside purposes, including but not limited to talks, fundraising, website, newsletters will need the permission of service users, parents, carers beforehand as well as permission from a Senior Manager / Head Teacher. Permission slips for photographs to be used are held on service user's / pupil's file. The name of the service user/pupil should be changed or deleted when conducting talks or when written information is being distributed.

Staff can take photographs for work use, e.g. displays with the permission of their line manager. With the latter, however, staff are asked to exercise discretion particularly taking into account service users', parents' and carers' views. Personal use of video material is unacceptable in any circumstance.

Pre- arranged and authorised visitors, students, etc., are required to obtain permission from the Chief Executive Officer / Head Teacher, before taking any photographs. Ordinarily this would not include photographs of service users, students and pupils.

Employees must not use, divulge or communicate to any person, firm or organisation (except in the proper course of their duties during their employment by Autism East Midlands) any confidential, technical or commercial information of Autism East Midlands relating to the business, organisation, accounts, analysis or other affairs of Autism East Midlands which they may have received or obtained while working for Autism East Midlands. This includes:

- Any information relating to a staff member, service user or their representatives without the staff member or service user's prior written consent.
- Any information relating to the trading position of Autism East Midlands including in particular names of suppliers, clients or customers.
- Any document or item belonging to Autism East Midlands

In particular, employees must not without the prior written consent of Autism East Midlands, permit any confidential information:

- To be disclosed, whether directly or indirectly, to any third party, except to those authorised by Autism East Midlands to know or as required by law; or
- To be copied or reproduced in any form or to be commercially exploited in any way; or
- To be used for their own purposes or for any purposes other than those of Autism East Midlands or to be used or published by any other person; or
- To pass outside their control.

This restriction will continue to apply after the termination of the employee's employment but will cease to apply to any information which may come into the public domain through disclosure by Autism East Midlands.

The wrongful disclosure of confidential information or other breach of confidentiality is a disciplinary offence. Depending on the seriousness of the offence, it may amount to gross misconduct and could result in summary dismissal.

If you are in any doubt about any aspect of confidentiality, please consult your Line Manager or HR Department.

Related policies:

[IT Policy](#)

[Privacy and Data Protection Policy](#)

[Document Retention Policy](#)

[Intellectual Property Policy](#)

Document Control
Title: Confidentiality Policy
Category: Contractual
Applicable To: All Staff
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Procedure Owner: HR