

## **PORT OF LEITH HOUSING ASSOCIATION LIMITED**

### **Policy on Openness and Confidentiality**

**Policy CM/MD 1.11  
Revised 09/2007  
Review cycle 5 years**

#### **Introduction**

Openness and confidentiality could be considered at first sight to be contradictory ideas. As an organisation, which receives public finance through grants and one that is registered as a Registered Social Landlord, a charity and an Industrial and Provident Society, the Association has a responsibility to be open and transparent in its business. The Association recognises the importance of ensuring that its affairs are conducted openly wherever possible, and that information is withheld only where this can be justified for reasons of confidentiality.

On the other hand the Association provides a service to individual customers (E.g. tenants, applicants and sharing owners). We have a responsibility to them to ensure their information and details are respected and remain confidential.

Striking this balance is not easy and good practise will only emerge through an:

- understanding of the law,
- appreciation of the principles of openness and confidentiality and
- investment in development and training.

#### **Objectives of this policy**

The objectives of this policy are to state clearly how the Association will maintain an appropriate balance between openness and confidentiality whilst taking account of the law and of good practice.

#### **Openness**

Openness will be achieved by the following means:

#### **Annual Report**

The Association's Annual Report will contain a comprehensive review of the activities for the year. It will be circulated to all tenants, sharing owners and members.

In addition copies will be sent to funders, City of Edinburgh Council members, local MPs and MSPs, local Ministers of Religion, other housing providers in the area, local libraries, and other interested parties. As a public document it will be available to anyone on request.

#### **Tenants' Handbook**

A tenants' handbook will be produced by the Association and regularly updated. A copy will be provided at the start of each tenancy covering the relationship between the Association and the tenant, the services provided by the Association and the obligations of the Association and the tenant. Additional information will also be provided, such as procedures for complaints and application for membership.

### **Web Site**

The Web Site will be regularly updated to showcase the Association's achievements and policies. A secure area will be restricted to communications with Committee Members. The Port of Leith intranet, PORTAL, will be developed to disseminate information and news to staff.

### **Port Call**

The tenants' newsletter will be produced twice a year, generally before Christmas and during the Summer Holidays. This will review selected activities of the Association and draw tenants' attention to items of note

### **Policies**

All of the policies of the Association will be held in a format, which is indexed and easily accessed. All Policies will be available to the public on request for instance the Association's membership policy, allocations policy, and equal opportunities policy. This will ensure both that policies are being properly implemented (through feedback from the public) and that the Association is conducting its affairs in an open manner (through the public availability of policies).

### **Committee Meetings**

Any member of the public interested in attending meetings could be invited as a guest by prior agreement of Committee. Committee papers which do not contain personal or commercially sensitive information will be available on request.

### **Annual General Meetings**

The Annual General Meeting will be made as attractive and accessible as possible through location, facilities, speakers and presentation, in order that members are encouraged to return each year and for tenants who are not members to consider joining.

As well as the formal business of the meeting there will be a review of the year's achievements and if possible, a presentation on how some aspects of the Association's work impacts on the wider scene in Leith.

### **CONFIDENTIALITY**

Staff and members will bear in mind the principles of confidentiality at all times when speaking about or referring to tenants (or sharing owners) to others. Personal or other confidential information\* should not normally be shared with third parties including other staff and tenants without the permission of the tenant or owner concerned.

Information may need to be shared by staff with other relevant professionals on a day-to-day basis. This will take place in order to fulfil the responsibilities of the Association. Information shared should be restricted to what is necessary for other staff to carry out their tasks and should not extend beyond that. Where information is shared it should be noted in writing in the tenants file stating who gave what information why and when.

At all times staff will remember that information concerning an individual belongs to the individual tenant and should only be shared where the purpose is clear.

Written information on tenants (and sharing owners) will only be shared with the resident's permission. The Association will develop protocols for information sharing with key agencies such as the Police Service.

#### **Access to information**

Tenants will be advised that they have the right to see any information recorded and stored which concerns them. This will be done in writing through the tenant's handbook and also verbally on taking up tenancy.

#### **Storage and retrieval**

Information about tenants will be held in secure cabinets when not in use. Only staff that require access to these records for the purpose of carrying out their job will be permitted access.

Confidentiality will be covered at induction for all new staff. Staff will be made aware of how to deal with information, which they are given in confidence when it has implications for the protection of others.

Where information is held on computer the same principles of confidentiality will apply.

#### **Data Protection**

Port of Leith Housing Association is registered with the Information Commissioner as a Data Controller under the Data Protection Act 1998.

#### **Related Policies**

See also POLHA Policy 4.24 (Data Protection); also POLHA policy 4.22 (Internet and e-mail policy) and 4.21 (Personnel Records Policy and Procedure).

#### **Breaches of Confidentiality**

Any breach of confidentiality whether deliberate or inadvertent will be dealt with seriously by the Association. The circumstances surrounding any breach will be taken into account, however all breaches of confidentiality will be dealt with via the Associations disciplinary policy as outlined in the Associations document 'Conditions of Service and Staff Rules'.

*\*(Personal information, which will not be released, will be, for example, individuals' rents, arrears, maintenance histories, staff terms and conditions of service, or any information the release of which would violate anyone's personal privacy.*

*Confidentiality must also be preserved concerning information of a personal, financial or commercial nature or in other areas where the law covers disclosure. Financial information, which will not be released, includes budgets, forecasts and un-audited financial statements, as premature publication of the Association's intentions could place it at a disadvantage in negotiations.*

*Commercial information, which will not be released, includes loan agreements and service agreements, which are "Commercial in confidence", that is arrived at on the understanding that their contents will not be divulged to third parties.)*

Mohanjit Singh  
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