



# Cartwheel Arts

## CONFIDENTIALITY POLICY

Confidentiality for individual participants, the groups we work with, artists, volunteers, staff members. Trustees and the company itself are of the utmost importance to Cartwheel Arts.

Participants, volunteers, individuals and/or groups may on some occasions reveal confidential information about themselves. This may be anything from their telephone number to their personal details – perhaps their private life and home circumstances. This information could be given verbally in conversation or in writing.

When someone gives us confidential information, they need to be sure that Cartwheel Arts and its agents will not pass this information on to anyone else without their permission. It is extremely important for the work and success of Cartwheel that people feel confident about giving us relevant information, which in turn enables us to provide the most appropriate activities. The only exception to this rule is if you believe the person to be at risk of harm, or a danger to themselves or others. These are matters which you should draw to the attention of the Cartwheel staff member to whom you report.

For these reasons we ask staff and volunteers to sign the statement below, demonstrating their understanding of the need for confidentiality and agreeing to keep information confidential within Cartwheel Arts. Appendix 1 gives guidance on data protection and forms part of this policy.

*Any artist contracted to Cartwheel Arts agrees that their business contact details only may be given to third parties interested in offering work to the artist, unless specifically stated otherwise on their contract.*

### Confidentiality Statement

I recognise that during my time working or volunteering for Cartwheel Arts I may learn information about individuals and Cartwheel that is confidential, and must not be disclosed to anyone outside the organisation without the permission of the person concerned.

I undertake not to disclose any such confidential information, including any personal information about individuals, to any third party during or after my period working or volunteering with Cartwheel.

I understand that breaching confidentiality may be classed as gross misconduct and may lead to summary dismissal.

Signed (staff member / volunteer) .....

Name ..... Date .....

Signed on behalf of Cartwheel Arts .....

Name ..... Date .....

# Appendix 1:

## Data Protection and Confidentiality Policy guidance

### 1. Introduction

The 1998 Data Protection Act came into force with the purpose of protecting the rights of individuals about whom data (information) is obtained, stored, processed and disclosed.

#### What is data protection?

Data protection is essentially that area of the law that governs what may, and what may not, be done with personal information. Such personal information may be in electronic (e.g. stored on computer hard drive) or manual form (in a manual filing system).

Consequences of breaching the Data Protection Act:

- Staff/artists can be criminally liable if they knowingly or recklessly disclose personal data in breach of the Act.
- A serious breach of data protection is also a disciplinary offence and will be dealt with under Cartwheel Arts' disciplinary procedures.

#### The Eight Data Protection principles

There are eight principles of data (information) processing with which Cartwheel Trustees, staff and artists must ensure compliance. Personal data shall be:

**Principle 1:** processed fairly and lawfully

**Principle 2:** obtained only for the purpose stated

**Principle 3:** adequate, relevant and not excessive

**Principle 4:** accurate and, where necessary, kept up-to-date

**Principle 5:** not be kept for longer than is necessary for that purpose

**Principle 6:** processed in accordance with the rights of data subjects under the Act

**Principle 7:** appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing personal data and against accidental loss or destruction of, or damage to, personal data

**Principle 8:** not transferred without adequate protection

## **Compliance with data protection principles**

### **Processed fairly and lawfully**

This means that when Cartwheel Arts is collecting personal information from individuals:

- that they are made aware of the uses of this information
- individual consent has been obtained for any secondary uses of their personal information
- individuals are made aware of disclosures of their personal information to third parties.

Information held by the organisation includes details on the following:

- service users
- personnel
- applicants for recruitment and selection
- training participants
- mailing lists

### **Sensitive personal information**

The Data Protection Act introduces categories of sensitive personal information as to an individual's:

- Racial or ethnic origin
- Political opinion
- Religious beliefs or other beliefs of a similar nature
- Trade union membership
- Physical or mental health condition
- Sexual life
- Criminal or alleged offences
- Criminal proceedings, convictions or disposal of proceedings