



## Confidentiality Policy

Ohana Homes operates a very strict policy with regard to confidential information. This information includes, but is not limited to:

- Marketing and sales policies or information.
- Pricing information.
- Young person or colleague information.
- Supplier information.
- Accounts information.
- Technical information.

The affairs of the Company's young people are also private and any information that you obtain about them during your employment must be regarded as confidential. All meetings regarding young people are confidential, any meetings with the Directors and staff are also confidential and must not be discussed with other members of staff or young people.

The non-authorised recording or copying of confidential information belonging to clients or Ohana Homes by using, for example, computers, memory sticks, CD's, cameras or phones, may be considered a breach of confidentiality and lead to your dismissal.

You agree that during and after your employment you will not disclose any confidential information that has come to your attention during the course of your employment. You will at all times protect and maintain the confidentiality of Ohana Homes information and that of its young people and may only disclose such information as required by law or as is necessary during the course of your duties. You understand that this obligation will continue at all times both during and after your employment unless and until the information has come into the public domain.

Ohana Homes will regard any breach of this confidentiality policy as a disciplinary offence and serious breaches may lead to dismissal without notice for gross misconduct.

### Data Protection

Legislation governs the way in which information about you is held and processed. The following are the principles contained in the Data Protection Act:

#### *Data protection principles*

- a) Personal data should be processed fairly and lawfully.
- b) Personal data shall be obtained only for one or more specific and lawful purposes and shall not be processed in any manner incompatible with those purposes.
- c) Personal data shall be adequate, relevant and not excessive in relation to the purposes they are processed.
- d) Personal data shall be accurate and, where necessary, kept up to date.
- e) Personal data shall not be kept for longer than is necessary.
- f) Personal data shall be processed in accordance with the individual's rights under the Act.
- g) Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction or damage to personal data.
- h) Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures adequate levels of protection for the rights and freedom of individuals in relation to the processing of their personal data.

(Source: ICO, [www.ico.org.uk](http://www.ico.org.uk))



### *Purposes of obtaining data*

In order to fulfil individuals' contracts of employment, monitor sickness and performance, equal opportunity policies and otherwise administer the Company's business, we may use and process personal information relating to you which we have obtained during the course of your employment.

Such information includes:

- a) Employment history.
- b) Personal circumstances.
- c) Educational qualifications.
- d) Sickness records.
- e) Medical records.
- f) Accident reports.
- g) Attendance records.
- h) Convictions.
- i) Performance appraisals.
- j) Disciplinary records.
- k) Ethnic or racial origins.
- l) Salaries.
- m) Benefits.

In most cases you have provided such information. In others the information has been provided by your manager, other employees, external referees, or in the case of medical records, your doctor.

We hold this personal data about you confidentially and will only disclose it to others where there is a need to do so, e.g. to give information about your earnings to HM Revenue & Customs.

No sensitive data such as information about your health, racial or ethnic origins, criminal convictions, trade union membership, political or religious belief will be divulged to a third party without your permission, unless we have a specific legal requirement to process such data.

### *Accuracy of data*

It is important that personal data held is accurate. You are required to inform Ohana Homes if you believe that your personal data is inaccurate or untrue or if you are dissatisfied with the information in any way.

### *Right to access information*

Under the legislation, you are entitled to have access to certain personal data held about you. If you require access, you should contact your line manager. The request should be made in writing specifying the information required. An administration fee may be charged for dealing with a request.

The information shall be provided as soon as reasonably practicable and in any event within 40 days of Ohana Homes receiving the administration fee and written request, or the provision by you of the additional information required by Ohana Homes for the purposes of locating any information, whichever is later.

## **Statements to The Media**

The Directors are the only persons authorised to give statements about Ohana Homes or matters connected with Ohana Homes to reporters from the newspapers, radio, television etc.

Employees should not make unauthorised statements on any social media, internet site or social networking media. Any request from any representative of the media for information, statements or comment about Ohana Homes must be referred to a Director.



## **Intellectual Property Rights**

Any invention, improvement, design, process, information, copyright work, trade mark or trade name or set-up made, created or discovered by you in the course of your employment (whether capable of being patented or registered or not) relating to the business of the employer or capable of being used or adapted for use in or in connection with such business (Intellectual Property Rights) shall be disclosed immediately to Ohana Homes and shall (subject to section 39 to 43 Patents Act 1977) belong to it and be its absolute property.

## **Protected Disclosures**

Ohana Homes is committed to ensuring a culture of openness and accountability in which abuse, theft, fraud or other misconduct within the organisation by any employee is recognised and reported. You are encouraged to express any concerns you may have and Ohana Homes will respect any request you may make to preserve confidentiality as far as possible. If you raise concerns in good faith, you will be protected by Ohana Homes from reprisals or victimisation.

If you have concerns about possible abuse, theft, fraud, or other misconduct, you should bring the matter to the attention of your line manager or a Director. Any employee with knowledge of abuse, theft, fraud or other misconduct who does not report this may be subject to disciplinary action.

Anyone attempting to stop or discourage another employee from coming forward to express a serious concern will be subject to disciplinary action. Likewise, anyone who criticises or victimises an employee after a concern has been expressed will be subject to disciplinary action.

The complaint will be investigated by your line manager or a Director and outside agencies may be involved as necessary. The results of the investigation will be related to you, whilst protecting the confidentiality of others involved.

If you continue to have serious concerns after the investigation has been completed and feel that you need to contact an external agency, you can then do so.

Please be aware that any employee who raises a concern with malicious intent or abuses this policy will be subject to disciplinary action.