



## CONFIDENTIALITY POLICY

REVIEWED JANUARY 2021

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### 1 GENERAL PRINCIPLES

- 1.1 Tek recognises that coaches who train or coach within our organisation gain information about individuals and families during their course of coaching activities. In most cases such information will not be stated as confidential and we may have to exercise common sense and discretion in identifying whether information is expected to be confidential.
- 1.2 Tek is committed to ensuring that any personal information which is provided to us in the of our work will be processed and stored in accordance to the Data Protection Act.
- 1.3 Confidentiality is a broader concept than data protection but there is an overlap between the two areas.
  - 1.3.1 **Confidentiality** refers to all forms of information including personal information about people using services or coaches, information about the organisation, for example, its plans or finances and whether the information is recorded or not.
  - 1.3.2 **Data protection** concerns only personal information which is recorded, whether this be in electronic or manual format.
- 1.4 Information received by Tek, as part of the services it provides, will be considered to be information for Tek to share with colleagues and use to deliver its aims and objectives.
- 1.5 All coaches should inform groups, organisations or individuals why they are requesting information and explain the purpose of storing and using this information.
- 1.6 Coaches are able to share information with their fellow coaches and management team in order to discuss issues and seek advice but should not disclose to anyone other, any information considered to be sensitive, personal, financial or private without the knowledge or consent of the individual.
- 1.7 Coaches should avoid exchanging personal information or comments (gossip) about individuals with whom they have a professional relationship.
- 1.8 Coaches should avoid talking about individuals in social settings.
- 1.9 There may be circumstances where it would be appropriate for colleagues to discuss difficult situations with each other to gain a wider perspective on how to approach a problem.
- 1.10 If coaches receive information from individuals outside of Tek regarding the conduct of a colleague or group, then this should be dealt with sensitively. The appropriate colleague should tell the individual about the complaint procedure and advise them accordingly.

### 2. WHY INFORMATION IS HELD

- 2.1 Most information held by Tek relates to students, PT clients and coaches.
- 2.2 Information is kept to enable Tek to understand the needs of individuals or service users in order to deliver the most appropriate services.
- 2.3 Information about students and clients may be kept for the purposes of monitoring our equal opportunities policy and also for reporting back.

### 3. DATA PROTECTION ACT

- 3.1 The 1998 Data Protection Act came into force on 1 March 2000. The purpose of the Act is to protect the rights of individuals about whom data (information) is obtained, stored, processed and disclosed.

### **3.2 What is data protection?**

3.2.1 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 or manual form.

### **3.3 The eight data protection principles**

3.3.1 There are eight principles of data processing with which the data controller must ensure compliance. In this instance Tek is the 'data controller'.

3.3.2 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 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 processing of personal data and against accidental loss or destruction of, or damage to personal data

**Principle 8:** Not transferred to countries without adequate protection

## **4. STORING INFORMATION**

4.1 The majority of personal information stored on students or clients will be kept on Tek property locked in cabinets.

## **6. DUTY TO DISCLOSE INFORMATION**

6.1. Tek has a legal duty to disclose some information including:

6.1.1. Child abuse

6.1.2. Drug trafficking, money laundering, acts of terrorism or treason and other criminal activities.

6.2. Note: If the information relates to an adult safeguarding issue then there is no duty to disclose unless the consent of the person at risk has been obtained except where:

6.2.1. The person at risk lacks the mental capacity to make a decision, and a risk assessment indicates that referral would be in their best interests.

6.2.2. Others may be at risk.

6.2.3. A crime has been committed)

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