

CLYDE VALLEY HOUSING ASSOCIATION

Policy & Procedure On Access To Information and Openness and Confidentiality

Policy No. G05

• Policy prepared by	Tom Barclay Chief Executive
• Reviewed by Board of Management	2 April 2007
• Approved by Board of Management	21 April 2004
• Date of next review	February, 2010
COMPATIBLE WITH:-	
• Equal Opportunities Policy	Yes
• Budget/Business Plan	Yes
• Performance Standards	Yes
• Tenant Participation Strategy	N/A
• Openness & Confidentiality Statement	Yes
• Risk Management Strategy	Yes

Please Note:

On request, the Association will provide translations of all our documents, policies and procedures in various languages and other formats such as computer disc, tape, large print, Braille etc. This can be arranged by contacting the Association's offices.

1. Introduction And General Information

- 1.1 Clyde Valley Housing Association is a Registered Social Landlord and a Scottish Registered Charity and is committed to operating in a manner that is open and accountable and this reflects a number of good practice documents, for example Performance Standards for Registered Social Landlords: GS3.4: *Performance Reporting* and GS3.5: *Openness and Confidentiality*.
- 1.2 It also recognises, however, that it cannot – without potential detriment to the Association and its customers – disclose its confidential, personal and commercially sensitive information. In addition the Association also wishes to ensure that information is handled sensitively and according to best practice.
- 1.3 This policy sets out how Clyde Valley Housing Association will conduct its business in an open and accountable manner whilst, at the same time, ensuring that personal and commercial confidentiality is maintained where appropriate. The success of this policy is likely to rest upon getting the balance right and it is therefore important that all staff and Board fully understand and embrace the principles outlined in this policy.

2. Aims And Objectives

- 2.1 The Association believes that its members, tenants, sharing owners and any other interested parties should have access to information on how it conducts itself. This means that unless information requested is considered commercially/financially sensitive or personally confidential it will be made available on request. This will include information on:
- Performance against operational targets.
 - How to become a member of the Board or influence decisions in other ways.
 - Inspection Reports (by the Regulator).
 - Policies and procedures.
 - Non-confidential Board papers and minutes.
 - Results of the annual external audit.
- 2.2 The above list is not exhaustive and the Association will action any request for information within a reasonable timescale, unless it is prevented from doing so by the Confidentiality section of this policy. Any requests outwith the list should be authorised by the Chief Executive (or most senior staff member in his/her absence). This policy should be read in conjunction with the Association's Statement on Openness and Confidentiality.

3. Principles of the Policy

- 3.1 The key principles of this policy are that:
- The Association is accountable to its users and members.
 - The Association conducts its business openly and is seen to do so.
 - Personal, confidential and commercially sensitive information is handled according to best practice.
 - Information requests will be freely available, although the Association may in some cases make a small charge for access to some details.
- 3.2 The Association, in its wish to operate an open and accountable service, will:
- Ensure that it meets its legal and regulatory obligations.

- Will ensure that it complies with good professional practice.
- Will publish its statements of policy and standards of service, as appropriate.
- Use plain English in all communications to customers and ensure that information is available in other languages and in formats other than print.

3.3 The Association also wishes to ensure that, where matters of a personal or confidential nature are under discussion, these will be handled in a manner, which is not prejudicial to those affected.

4. Achieving The Policy Objectives

4.1 This section outlines the steps, which the Association will take to ensure compliance with this policy.

- (i) Performance against operational targets: this will be done annually in the Annual Report newsletters and website. Quarterly figures will be available on request. The degree to which residents feel that they are kept appropriately informed is explored in our Customer Satisfaction Surveys, and the Association takes account of this when considering the appropriate level of detail and frequency of information.
- (ii) How to become a Board member or influence decisions in other ways: where there is a vacancy, the Association constantly tries to boost Board membership to the maximum fourteen. This is addressed by the membership policy. Sometimes residents may wish to influence certain decisions without necessarily joining the Board. This is acknowledged and actively encouraged in the Association's Tenant Participation policy.
- (iii) Performance Audit assessments: the Association's last Performance Audit took place in January 2000 and the Performance Audit assessment summary is available for any interested party to see. Following our future Inspections, we will provide a summary of the inspection report and our action plan in our newsletter/annual report, and advise stakeholders that a full summary and the full report are available on request.
- (iv) Policies and procedures: the Association will produce summaries of key policies and procedures and these will be freely available in the office reception. Any full version will also be made available upon request. Availability of this information is publicised from time to time in our newsletters. A full list of current policies will be provided annually in newsletters/annual report and updated regularly on our website.
- (v) Non-confidential Board papers and minutes: the Association will display the most recent set of adopted Board minutes (minus any confidential sections) on the Association website. Previous minutes and Board papers will be available to any member upon request, again assuming that these are non-confidential. Where such a request is made, the Association will provide the document(s) within 7 days. Any member will be able to attend a Board meeting as an observer so long as this is notified to the Chief Executive at least 24 hours before the meeting is due to take place (this is to ensure that appropriate arrangements, such as providing papers and adequate seating, can be made). Observers may be asked to leave the meeting if the Chair deems that there are confidential or commercially sensitive items to be discussed.
- (vi) Results of the annual external audit: the Association's Management Letter will be displayed in reception. The external auditor and Head of Finance will present the audited accounts at the AGM and respond to any questions raised.

5. Confidentiality

5.1 It is not possible to produce a prescriptive and definitive list of all items which are considered confidential. The following, however, are considered confidential and should, at no time, be divulged inappropriately:

- Personal confidentiality of residents and other members of the public will be respected. This means that the names, addresses, details on family composition or economic status (or any other means of identification) of individuals will not be given in Board reports or minutes or in any way divulged to anyone other than staff members, or other professionals, on a “need to know” basis.
- All data records (both paper and computer) will be kept confidential to the appropriate staff members. No Board member will view an individual's data records.
- Items adjudged, on an *ad hoc* basis, to be confidential.

5.2 Exceptions to the above are:

- Where a resident or other member of the public complains or appeals to the Association about an issue and a personal representation is being made to the Board/sub-Committee as the final stage in the procedure. In these circumstances, it is impossible to withhold information on the person's identity.
- Where the Association has a legal obligation to provide information to a third party.

6. Breaches Of Confidentiality

6.1 Any breach of confidentiality, whether deliberate or inadvertent, will be dealt with seriously by the Association. The circumstances surrounding the breach will, of course, be taken into account. All breaches will be dealt with via the staff and Board disciplinary statements and may result in (i) the staff member(s) being issued with a warning or dismissed or (ii) the Board member(s) being requested to leave the Board.

7. Data Protection

7.1 The Office Manager has overall responsibility for data protection within the Association, and for ensuring that our notification to the Information Commissioner, and our entry in the Data Protection Register, is accurate and up to date. This Policy links directly into the Access to Information Policy and should be read in conjunction.

8. Corporate Fit

8.1 The degree of compatibility of the Association's Policy and Procedure on Access to Information with other corporate policies, plans and strategies is as follows:-

- *Equal Opportunities Policy* – we are committed to ensuring that no tenant is unable to, or discouraged from, understanding and exercising their rights under the data protection legislation because they sometimes find it difficult to fully understand documents produced in regular printed English, therefore we will provide documents upon request in various formats and languages.
- *Complaints Policy & Procedure* – It is essential that customers are aware of the route to take if they are dissatisfied with any aspect of our customer service and this policy carefully explains the procedure.

- *Openness & Confidentiality Statement* – we are committed to conducting business in an open and accountable manner however, ensuring confidentiality where required.
- *Risk Strategy* – this policy seeks to identify and improve on key areas of confidentiality required by legislation in relation to all our stakeholders and minimising risk in this sensitive area.
- *Data Protection Policy* – this Policy recognises the Data Protection Act 1998 as an important piece of legislation to safeguard the rights of individuals in relation to data held about them. The Association retains and processes personal data as necessary to carry out normal business functions.

9. Informing And Involving Stakeholders

- 9.1 The Policy is approved by The Board of Management and all employees are informed at Section Meetings of the policy's contents and where it can be accessed internally, as well as being informed through the internal staff newsletter. Board Members are issued with revised policy. .
- 9.2 The Policy Name and Number is included in a full list of policies that is published on our website and in our newsletters for all stakeholders. Stakeholders are advised that a copy of the policy can be made available on request (in different languages and formats) and that comments are welcome.

10. Review Of Policy And Procedure

- 10.1 The Association's policy and procedure on Access to Information/Openness and Confidentiality will be reviewed every 3 years by the Board of Management, or sooner if legislative, regulatory or best practice changes require this.