

INSPIRED SUPPORT

CONFIDENTIAL RECORDING CODE



INSPIRED SUPPORT

Effective from:	September 2022	Effective to:	September 2025
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Inspired Support's Autism Consultant and Deputy Safeguarding Lead receives email updates from Skills for Care, 39 Essex Chambers and the Social Care Institute for Excellence and will update this policy as needed prior to the review date.

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Inspired Support Confidential Reporting Code

A. Confidential Reporting Code

Inspired Support is determined to ensure that its workers provide the best levels of service and act properly. Inspired Support's self-employed mentors will go through an induction process and this confidential reporting code is included in that induction programme.

This code is designed to give workers the chance to draw attention to concerns about wrong or unacceptable practice. It is not about telling tales on colleagues but aims to ensure that work is carried out honestly and well.

Section 170 (1) of the Data Protection Act 2018: Unlawful obtaining etc of personal data, states it is an offence for a person knowingly or recklessly:

- (a) to obtain or disclose personal data without the consent of the controller
- (b) to procure the disclosure of personal data to another person without the consent of the controller, or
- (c) after obtaining personal data, to retain it without the consent of the person who was the controller in relation to the personal data when it was obtained.

Any concerns that are raised will be taken seriously, and both the alerter and the alleged perpetrator will be protected through the investigative process as far as possible and sensitive information regarding the concern will be shared with other mentors on a strict need to know basis as per principle 4.

All concerns will be recorded and investigated promptly. Reports will be prepared, following investigation and appropriate action will be taken to resolve concerns.

B. Explanation of Code

1. The sorts of issues covered by the code include:
 - (a) any unlawful act;
 - (b) breaches of Inspired Support policy, codes of practice and acceptable standards of behaviour;
 - (c) misuse of assets;
 - (d) actions which could harm people
 - (e) significant damage to property;
 - (f) abuses of position, power or authority;
 - (g) unfair discrimination, and
 - (h) other unethical conduct.

2. This code is meant to add to existing procedures (e.g. for dealing with grievances). It should only be used where workers reporting concerns feel that other procedures cannot be used.
3. In many cases it is Inspired Support's workers who are best placed to know of any concerns about wrong or unacceptable practice within the service and to identify matters which fall short of what is expected. Inspired Support therefore expects workers to report their concerns and will treat failure to do so as a serious matter. The earlier you express the concern the easier it is to take action.
4. Although you are not expected to prove beyond doubt the truth of a concern, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern. Inspired Support recognises the potential vulnerability of workers who express concerns under this procedure and will not tolerate any attempt to harass or victimise such a person.
5. Where a concern is found to be malicious or information regarding a concern is shared with other mentors, this will be regarded as a serious matter and could lead to disciplinary action. It is unlawful to disseminate defamatory information in any media including internet sites (see E-Safety policy for further information including specific legislation).
6.
 - (a) This code encourages you to put your name to your concern whenever possible.
 - (b) Concerns expressed anonymously are much less powerful but will be considered at the discretion of Inspired Support.
 - (c) In exercising this discretion the factors to be taken into account would include:
 - the seriousness of the issues raised
 - the credibility of the concern, and
 - the likelihood of confirming the concern from attributable sources.

C. Disclosing Personal/Confidential Information

To ensure that information is only shared with the appropriate people in appropriate circumstances, care must be taken to check they have a legal basis for access to the information before releasing it.

It is important to consider how much confidential information is needed before disclosing it and only the minimal amount necessary is disclosed.

Information can be disclosed:

- When effectively anonymised.

- When the information is required by law or under a court order.
- Where disclosure can be justified for another purpose, this is usually for the protection of the public and is likely to be in relation to the prevention and detection of serious crime.

Care must be taken in transferring information to ensure that the method used is as secure as it can be. Workers must ensure that appropriate standards and safeguards are in place to protect against inappropriate disclosures of confidential personal data

D. Procedures

1. All workers need to be aware of their responsibilities for safeguarding confidentiality and preserving information security.
2. Confidential information must be effectively protected against improper disclosure when it is received, stored, transmitted or disposed of.
3. Access to person-identifiable or confidential information must be on a need-to-know basis.
4. Disclosure of person identifiable or confidential information must be limited to that purpose for which it is required.
5. Recipients of disclosed information must respect that it is given to them in confidence.
6. If the decision is taken to disclose information, that decision must be justified and documented.
7. Any concerns about disclosure of information must be discussed with the director.
8. Lead workers will normally be the first point of contact. They will be responsible for initiating investigations to concerns promptly. If workers feel that their lead worker may be involved in the matter about which they are concerned, a more senior person (usually the director) should be the person informed of the concern.
9. The person receiving the concern will:
 - (a) record it;
 - (b) ensure confidentiality, so far as may be possible in dealing properly with it;
 - (c) investigate promptly and respond to the worker concerned. The person receiving the concern will also have a right of access to appropriate records and documents;
 - (d) report to the Director
 - (e) recommend appropriate action to resolve the concern.

10. It is desirable for those raising concerns to give the person charged with investigating them all relevant facts and the reasons for concern.
11. Although workers are not expected to prove the truth of any allegation, they will need to demonstrate sufficient and genuine grounds for concern.
12. As Inspired Support's mentors are self-employed and there is therefore no disciplinary procedure, any unauthorised breach of confidentiality will result in the mentor no longer being contracted.

E. Inspired Support's Response

1. Initial enquiries will be made to decide what investigation will be appropriate. Concerns which come within the scope of existing procedures will normally be considered under those procedures.
2. Some concerns may be resolved by agreed action without the need for investigation.
3. Within 10 working days of a concern being received Inspired Support will, in writing -
 - (a) acknowledge receipt of the concern;
 - (b) indicate how it proposes to deal with it;
 - (c) give an estimate of how long it will take to provide a final response;
 - (d) state whether any inquiries have been made, and
 - (e) state whether any further investigations will take place, and if not, why not.
4. If necessary, further information will be sought from the person raising the concern.
5. If a meeting is arranged between the person responsible for dealing with the concern under this procedure and the worker raising it, then the worker has the right to be accompanied by a representative or a colleague who is not involved in the area of work to which the concern relates.
6. Inspired Support will confirm in writing to those raising concerns that they have been properly dealt with. Information about outcomes of investigations will be given unless this is not possible for legal reasons.