

Escape Arts Confidentiality Policy

1. Definitions

Escape Arts defines **Confidential** as "something which is spoken or given in confidence; private, entrusted with another's secret affairs".

When speaking **confidentially** to someone the confider has the belief that the confidant will not discuss the content of the conversation with another. The confider is asking for the content of the conversation to be kept secret. Anyone offering absolute confidentiality to someone else would be offering to keep the content of his or her conversation completely secret and discuss it with no one.

2. Statement of Policy

Escape Arts believes that:

- The safety, wellbeing and protection of our participants are the paramount consideration in all decisions staff make about confidentiality. The appropriate sharing of information between staff is an essential element in ensuring our participants wellbeing and safety.
- It is an essential part of the purpose/objects of Escape Arts that trust is established to enable participants, staff, and parents/carers to seek help both within and outside the project and minimise the number of situations when personal information is shared to ensure participants, staff are supported and safe
- Participants, volunteers, parents/carers and staff need to know the boundaries of confidentiality in order to feel safe and comfortable in discussing personal issues and concerns.
- Escape Arts' attitude to confidentiality is open and easily understood and everyone should be able to trust the boundaries of confidentiality operating within the organisation.
- Issues concerning personal information can arise at any time.
- Everyone in the organisation needs to know that no one can offer absolute confidentiality.
- Everyone in the organisation needs to know the limits of confidentiality that can be offered by individuals so they can make informed decisions about the most appropriate person to talk to.

3. Scope of Policy

This policy applies to all those who work for or volunteer with Escape Arts and third parties, whether part time or full time on a substantive or fixed-term contract:

- Job applicants and potential applicants
- Trustees
- Employees
- Artists/Contract workers/Suppliers

- Trainee workers
- Students on work experience or placements
- Volunteers

4. Context

In practice there are few situations where absolute confidentiality is offered in Escape Arts. We have tried to strike a balance between ensuring the safety, wellbeing and protection of our participants and staff, ensuring there is an ethos of trust where participants, volunteers and staff can ask for help when they need it and ensuring that when it is essential to share personal information, safeguarding, wellbeing or child protection issues and good practice is followed.

This means that in most cases what is on offer is limited confidentiality. Disclosure of the content of a conversation could be discussed with professional colleagues but the confider would not be identified except in certain circumstances.

The general rule is that staff should make clear that there are limits to confidentiality, at the beginning of a conversation a participant asks to be confidential. These limits relate to ensuring participants/young peoples' safety and wellbeing. The participant will be informed when a confidence has to be broken for this reason and will be encouraged to do this for themselves whenever this is possible.

Different levels of confidentiality are appropriate for different circumstances.

1. In the project activity given by an artist or an outside visitor, including health professionals.

Careful thought needs to be given to the content of the activity, setting the climate and establishing ground rules to ensure confidential disclosures are not made. It should be made clear to participants that this is not the time or place to disclose confidential, personal information. This is outlined to the artist in working agreements. When an artist or health professional is contributing to a workshop, he/she/they are working with the same boundaries of confidentiality as Escape Arts staff.

2. One to one disclosures to members of Escape Arts staff (including voluntary staff).

It is essential all members of staff know the limits of the confidentiality they can offer to both participants and parents/carers and any required actions and sources of further support or help available both for the participant or parent/carer and for the staff member within the organisation and from other agencies, where appropriate. All staff at Escape Arts encourage participants to discuss difficult issues with their parents/carers/families, and vice versa. However, the needs of the participant are paramount and Escape Arts staff will not automatically share information about the participant with his/her/their family/parents/carers unless it is considered to be in the participant's best interests.

(Note: That is, that when concerns for a child or young person come to the attention of staff, for example through observation of behaviour, injuries or disclosure, however insignificant this might appear to be, the member of staff should discuss this with a Designated Safeguarding Lead (DSL) as soon as is practically possible. Current Escape Arts DSL's will be communicated to staff and volunteers in the induction. More serious concerns must be reported immediately to ensure that any intervention necessary to protect the child is accessed as early as possible. Please see the Escape Arts Child Protection Policy.)

The legal position for Escape Arts staff:

Escape Arts staff (including non-teaching and voluntary staff) should not promise confidentiality. Participants do not have the right to expect that incidents will not be reported to his/her/their family/parents/carers and may not, in the absence of an explicit promise, assume that information conveyed outside that context is private. No member of Escape Arts' staff can or should give such a promise. The safety, wellbeing and protection of the participant is the paramount consideration in all decisions staff at Escape Arts make about confidentiality.

Escape Arts staff are not obliged to break confidentiality except where child protection or safeguarding is or may be an issue, however, at Escape Arts we believe it is important staff are able to share their concerns about participants with colleagues in a professional and supportive way, on a need-to-know basis, to ensure staff receive the guidance and support they need and the participants' safety and wellbeing is maintained. Escape Arts staff should discuss such concerns with their Line Manager or a Designated Safeguarding Lead.

Any child protection or safeguarding incident that happens at an Escape Arts project is confidential. It is a breach of this policy to discuss the incident with other staff members or volunteers who were not involved. If you have concerns about a safeguarding or child protection incident that happens at an Escape Arts project, please discuss such concerns with a Designated Safeguarding Lead, who can put additional support in place where necessary.

All staff at Escape Arts receive training in child protection and safeguarding as part of their induction to the organisation and are expected to follow Escape Arts' Child Protection Policy and procedures.

Visitors:

At Escape Arts, we expect all visitors, including voluntary staff, to report any disclosures by participants or parents/carers, of a concerning personal nature to a Designated Safeguarding Lead (DSL) as soon as possible after the disclosure and in an appropriate setting, so others cannot overhear. This is to ensure the safety, protection and wellbeing of all our participants and staff. The DSL will decide what, if any, further action needs to be taken, both to ensure the participant gets the help and support they need and that the member of staff also gets the support and supervision they need.

Arts Award - Parents/carers:

Escape Arts believes that it is essential to work in partnership with parents and carers and we endeavour to keep parents/carers abreast of their child's progress at the project, including any concerns about their progress or behaviour. However, we also need to maintain a balance so that our young people can share any concerns and ask for help when they need it. Where a young person does discuss a difficult personal matter staff at Escape Arts, they will be encouraged to also discuss the matter with their parent or carer themselves.

The safety, wellbeing and protection of our young people is the paramount consideration in all decisions staff at Escape Arts make about confidentiality.

Partnership Working

Where Escape Arts works in partnership with other organisations to deliver projects, data sharing and information sharing agreements must be in place for any need-to-know discussions of shared participants. They must only be in place for confidential discussions about supporting that participant where needed and the participant must be made aware where possible that the organisations have information sharing agreements in place.

When confidentiality should be broken and procedures for doing this: *see the Escape Arts Child Protection Policy or Vulnerable Adult Safeguarding Policy.*

Where this does not apply, and you are still concerned and unsure of whether the information should be passed on or other action taken you should speak to your Line Manager.

If they issue instructions that he/she/they should be kept informed, all staff must comply. There is always a good reason for this, which you may not know about.

5. Escape Arts Confidentiality Commitments

The principles we follow at Escape Arts are that in all cases we:

- Ensure the time and place are appropriate. When they are not, we reassure the participant that we understand they need to discuss something very important and that it warrants time, space and privacy.
- See the participant normally (and always in cases of neglect, or abuse) before the end of the day. More serious concerns must be reported immediately to ensure that any intervention necessary to protect the participant is accessed as early as possible.
- Tell the participant we cannot guarantee confidentiality if we think they will:
 - hurt themselves
 - hurt someone else
 - or they tell us that someone is hurting them or others
- Not interrogate the participant or ask leading questions

- We won't put participants in the position of having to repeat distressing matters to several people
- Inform the participant first before any confidential information is shared, with the reasons for this.
- Encourage the participant, whenever possible to confide in his/her/their own family/parents/carers.

Support for Staff

Staff may have support needs themselves in dealing with some of the personal issues of our participants. At Escape Arts we prefer you to ask for help rather than possibly making a poor decision because you don't have all the facts or the necessary training, or taking worries about participants home with you. There are many agencies we can refer participants to who need additional support which and we have procedures to ensure this happens. We all work together as part of a team to support our participants and asking for help is how we ensure Escape Arts is a happy and safe environment.

If a staff member is concerned about anything they experience working at Escape Arts, the charity invests in an Employee Assistance Programme for staff and volunteers to access confidential support, online counselling and wellbeing resources through Health Assured, through telephone support: **0800 047 4097 / 1800 936 710**, quoting **ESC029**, Internet: [Home | Health Assured \(healthassured.co.uk\)](https://www.healthassured.co.uk) and their app, Wisdom, for 24/7 live chat and support. If you do not have access to Health Assured or the Wisdom app, contact the Deputy CEO who can put you in touch with them.

6. Implementation

This policy has been distributed to all staff and volunteers at Escape Arts, where training on this policy is part of the induction. All new members of Escape Arts, including staff and volunteers, receive a copy of the policy, together with basic training on Escape Arts Child Protection Policy and Vulnerable Adult Safeguarding Policy as part of the induction.

Ensuring confidentiality is adhered to is part of the Escape Arts Code of Conduct, which all staff and volunteers sign as part of the induction.

Review:

This policy is reviewed annually or whenever deemed necessary by the Executive and Board of Trustees in the light of events and change.

This policy is intended to be used in conjunction with Escape Arts':

Child Protection Policy

Vulnerable Adult Safeguarding Policy

Equality, Diversity and Inclusion Policy

This policy and procedure was adopted on: 22nd July 2024



This policy will be reviewed every two years.

Date for review: July 2026