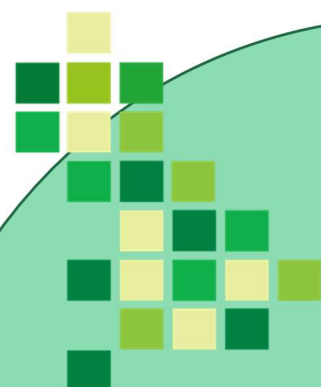




NFTMO



The National Federation of
Tenant Management Organisations



Code of Confidentiality

Version No.	
Date Adopted	
Date of Review	
Responsible Person	

Introduction

(Name of TMO) staff, contractors and members of the Management Board frequently come into contact with confidential information. Confidentiality must always be observed.

(Name of TMO) will treat all information relating to tenants and leaseholders on the (Name of the Estate/Block managed by the TMO) as strictly confidential. (Name of TMO) will only use such information for the purpose of fulfilling its responsibilities under the terms of the Management Agreement with (Name of landlord). (Name of TMO) will comply with all legislation concerning access to information and data protection. This Code relates to all information that (Name of TMO) may have access to in its roles as:

- Managing agent of the Property
- A community run organisation.

(Name of TMO) is registered as a data Controller with the Information Commissioner's Office and must comply with the requirements of the Data Protection Act 2018 or any subsequent legislation.

The Confidentiality Policy is intended to give guidance to both staff and members of the Management Board.

Data Protection Act

The Data Protection Act 2018 places legal requirements upon the organisation.

It is an offence under the Data Protection Act to disclose information stored in a computer or contained in a printout, by which a living person may be identified to unauthorised persons. Disclosures are 'authorised' if the person or organisation receiving the information is specified in the TMO's data register entry or the disclosure is permitted by specific statute.

Unauthorised disclosure is a civil offence (and in some circumstances, criminal) whether caused intentionally or unintentionally. (Name of TMO) is committed to ensuring professional standards of confidentiality are maintained. If a member of staff is in doubt about whether or not to disclose information, they should ask their line manager or an officer of the Management Board for advice.

The Act also gives rights to residents to check the completeness and accuracy of data about them which are stored on computer and, if necessary, to have them corrected. The TMO must have in place a system for handling enquiries under the Data Protection Act 2018.

Responsibility for ensuring that (Name of TMO) complies with the requirements of the Data Protection Act rests with the Chair of the Management Board and the Estate Manager.

(Name of TMO) recognises residents' expectations that their personal information will be handled to the highest standards of confidentiality and integrity and will actively promote awareness of and compliance with the data protection principles embodied in the Act.

- (i) Lawfulness, fairness and transparency
- (ii) Purpose limitation
- (iii) Data minimisation
- (iv) Accuracy
- (v) Storage limitation
- (vi) Integrity and confidentiality
- (vii) Accountability

The Freedom of Information Act 2000

As a private company the TMO is not covered by the Freedom of Information Act.

Tenants' and Applicants' Records

(Name of TMO) will hold personal and confidential information relating to tenants, leaseholders and applicants for housing.

To ensure that the confidentiality of personal information is maintained, we expect our staff and contractors to observe the following guidelines:

- (i) to treat personal data with care
- (ii) to check the identities of people before:
 - discussing information by phone, or
 - disclosing information in interview
- (iii) to check there is a 'Need to Know' basis before disclosing internally
- (iv) to dispose of waste computer listings as Confidential Waste
- (v) to ensure that residents cannot read a visual display screen
- (vi) to secure the data held within the TMOs IT systems
- (vii) not to leave a screen unattended and 'logged in'
- (viii) only to use personal data to assist in carrying out the TMO's work
- (ix) only disclose personal data to those people with a right to know
- (x) only disclose personal data to those authorised by the registration.

Members of the Management Board will not generally be given access to personal and confidential information relating to individual tenants or applicants, unless a case is referred to the Board for consideration. In such circumstances, Board members must treat the information as confidential, and not disclose it to any person outside the organisation.

Board Papers

Some items in papers referred to the Management Board will be of a confidential nature.

In such cases, the papers will be clearly marked as confidential. Board members and staff should not disclose any matter relating to a confidential report to any person outside the organisation.

To avoid any confusion any information of this nature will be clearly indicated by the author of the paper.

(Name of TMO) Confidentiality

Board Members and staff have access to information relating to the affairs and business of the organisation, its contractors and consultants, which is confidential for commercial reasons.

Board Members and staff must ensure that they do not discuss information which is commercially confidential with any person outside the organisation.

All Board Members are required to sign a statement of confidentiality.

The following declaration is to be signed by each (Name of TMO) Board Member on taking up office and annually thereafter:

I acknowledge the contents of the (Name of TMO) Code of Confidentiality which I have read, understood, and agree to uphold.

Signed

Full Name

Designation.....

Date.....