

Tenants First Housing Co-operative

OPENNESS AND CONFIDENTIALITY POLICY

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INDEX

1	Policy Aims	3
2	Objectives.....	3
3	Organisational Information Available	3
3.1	<i>General Information.....</i>	3
3.2	<i>Performance Against Operational Targets.....</i>	4
3.3	<i>Policies</i>	4
3.4	<i>Committee of Management Information.....</i>	4
3.5	<i>Scottish Housing Regulator Inspection Reports.....</i>	4
3.6	<i>Care Commission- Annual Inspection of Sheltered Housing Warden.....</i>	4
3.7	<i>Annual External Audit</i>	5
3.8	<i>Internal Management Plan</i>	5
3.9	<i>Scottish Public Services Ombudsman</i>	5
3.10	<i>Additional Requests</i>	5
3.11	<i>Appeals.....</i>	5
3.12	<i>Costs</i>	6
4	Personal Information	6
4.1	<i>Access to Personal Information.....</i>	6
4.2	<i>Costs</i>	7
5	Openness in Decision Making and Opportunities to Influence Decisions	7
6	Confidentiality	7
7	Breaches of Confidentiality.....	8
8	Training.....	8
9	Equal Opportunities	8
10	Monitoring and Reporting	9

11	Review	9
12	Legal Framework.....	9
13	References	9
14	Related Policies/Documents	9

[Return to Main Policy Index](#)

1 Policy Aims

Tenants First Housing Co-operative (the Co-operative) aims to 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 Co-operative believes that its members and any other interested parties should have access to information on how it conducts its business. This means that unless information requested is considered commercially sensitive or personally confidential it will be made available on request.

The Data Protection and Access to Personal Information Policy, which specifically deals with personal information compliments this document. It is available from the Co-operative's website and on request from our offices.

2 Objectives

The policy links with the following objectives in the Co-operative's Internal Management Plan:

"As a fully mutual Co-operative, to maximise the involvement of tenant members"

"To promote social inclusion and equality of opportunity for our members and their communities"

"To manage and develop the business in an innovative way providing high standards and maintaining financial viability"

3 Organisational Information Available

The information the Co-operative will routinely make available is detailed below in 3.1 to 3.8.

3.1 General Information

The Co-operative will issue regular newsletters to all members which will include general information on aspects of the Co-operative's business, for example new developments, consultations and policy reviews, performance figures, community events and other services for members. The Newsletters will also be available on the Co-operative web site.

The Co-operative will produce an Annual Report (normally within six months of the financial year end) which will be issued to all members and other interested individuals and organisations. It will also be available on request from our offices and on the web site. The Annual Report will include key performance figures and a summary report of the Income and Expenditure Account and Balance Sheet.

3.2 Performance Against Operational Targets

These will be reported in the Annual Report, newsletters and at AGMs. The performance figures which will be made available in this way will include:

- Repairs response times
- Major works programmes.
- Current member rent arrears levels
- Former member rent arrears levels
- Void loss levels (rent lost on vacant properties)
- Average time taken to re-let a property
- Formal Complaints response times

3.3 Policies

All approved key service delivery policies are available on the Co-operative's web-site. Paper copies are available on request from our offices.

Invitations to contribute to policy reviews are made on the web site. Reports on the outcome of policy consultations are also available on the web site.

3.4 Committee of Management Information

Agendas and abridged minutes (excluding any confidential sections) of the Co-operative Committee of Management meetings will be available on the website.

3.5 Scottish Housing Regulator Inspection Reports

Inspection Report summaries will be posted on the website, with a link to the full report. The full report will also be made available, on request, to anyone who wants it.

3.6 Care Commission- Annual Inspection of Sheltered Housing Warden Services

This report will be displayed on the notice boards of the Co-operative's sheltered housing units. The report will also be available on our web site and on request from our office.

3.7 Annual External Audit

The full set of audited accounts is available on request from our offices and on our website. A summary of the audited accounts is sent to all members. Questions on the audited accounts can be raised at the AGM or may be referred to the Finance Manager.

3.8 Internal Management Plan

The Co-operative's strategic objectives will be posted on our website.

3.9 Scottish Public Services Ombudsman

The Ombudsman hears appeals from service users where they have made a formal complaint to the Co-operatives and are dissatisfied with the response received.

If the Ombudsman issues a report about the Co-operative's activities the Co-operative must make arrangements, for a period of not less than 3 weeks, for any person to inspect the report and/or obtain a copy of the report, or any part of it. The Ombudsman, however, may direct that the report should not be made available.

The Co-operative's formal complaints policy gives further details about the Ombudsman. The full policy is issued to all new members and is available on the Co-operative website and on request from our offices. A summary leaflet is also available at our offices.

3.10 Additional Requests

Any requests out with this range will be considered and information provided within a reasonable timescale unless confidentiality issues prevent this. Requests should be made to the Corporate Services Manager at our Aberdeen office.

3.11 Appeals

Where someone feels they have been unreasonably refused access to organisational information they can appeal by contacting the Chair of the Finance and Corporate Services Sub Committee, c/o the Co-operative's Aberdeen office,

within 28 days of having been refused access to information. The appeal will be acknowledged within 3 working days. The Sub Committee will consider the appeal within 6 weeks of its receipt. The Chair of the Sub Committee will advise of the outcome within 3 working days of considering the appeal.

3.12 Costs

Most requests will be dealt with free of charge. However the Co-operative does reserve the right to charge an administration fee where appropriate. Appeals against the level of any costs can be made following the same process as in 3.10 above.

4 Personal Information

The Co-operative's Data Protection and Access to Personal Information Policy is available on our web site and on request from our office. That policy details the Co-operative's commitment to following the principles of the Data Protection Act 1998 in the way we deal with all personal information that we hold.

4.1 Access to Personal Information

Under the Data Protection Act (1998) members, former members, applicants, employees and anyone else the Co-operative holds personal information on have the right of access to such information unless exemptions under the Data Protection Act apply. The Co-operative will respond as promptly as possible to such requests and certainly within the 40 days laid down in the legislation. Requests for access to personal information should be made to the Corporate Services Manager. The Co-operative's Data Protection and Access to Personal Information Policy is available on the website, and on request.

The Tenant Handbook includes a section on "Access to Information" which outlines how a member can access the personal information the Co-operative holds on them.

On an annual basis all members are also issued with a copy of the core personal information which the Co-operative holds on them and are asked to respond if there are any changes, omissions or inaccuracies. This is accompanied by the leaflet, "Your Information and the Co-operative" which further explains the type of personal information we hold, what it is used for, how members can access it and the right to have inaccurate information corrected. This leaflet is also available on our website.

4.2 Costs

The Co-operative will not normally charge for requests for access to personal information. However it does reserve the right to make a charge of £10 to cover administration costs where appropriate.

Applicants for housing have the right to check information they have provided in connection with their housing application free of charge.

5 Openness in Decision Making and Opportunities to Influence Decisions

The Co-operative actively encourages members to participate in decision making processes in a wide range of ways. These include:

Committee of Management (COM); Sub Committees; Residents Associations; Tenant Panel; Focus Groups

The Co-operative's Participation Strategy gives further details of the ways the Co-operative will support and encourage members to participate with the Co-operative and their local communities. The strategy is available on the Co-operative web-site and on request from our offices.

6 Confidentiality

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

- Commercially sensitive information, for example, details which may jeopardise a development or business opportunity while negotiations are ongoing
- Personal confidentiality of members and other service users 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 Committee reports or minutes or in any way divulged to anyone other than staff members, or other professionals, on a "need to know " basis and in line with the Data Protection Act (1998).
- All data records (both paper and computer) will be kept confidential to the appropriate staff members. Committee members will not have access to an individual's personal records.

- Personal confidentiality of staff will be respected. This means that we will not divulge any personal information about staff to members and other service users that is not directly relevant to their professional relationship.

Exceptions to the above are:

- Where a member or other service user chooses to make a personal representation to a committee, for example as part of an appeals procedure it will normally be impossible to withhold information on the person's identity and details of the issues to be discussed from that committee.
- Where the Co-operative has a legal obligation to provide information to a third party.

7 Breaches of Confidentiality

Any breach of confidentiality, whether deliberate or inadvertent, by staff or committee members will be dealt with seriously by the Co-operative. Breaches may result in disciplinary action being taken against a member of staff, or a committee member being required to leave the Committee, subject to the Co-operative rules.

8 Training

The Co-operative through its Internal Management Plan is committed to training and developing staff and committee members to their full potential in order to deliver a high quality of service in all areas of its business to Co-operative members and the public.

The employee induction programme includes an overview of this policy, including responsibilities for the promotion and delivery of openness and confidentiality as relevant to their job descriptions. Committee members and staff will receive updates on these issues and specific training as required.

9 Equal Opportunities

The Co-operative will ensure that in implementing this Policy it will not unfairly discriminate against any individual, household or group on the grounds of gender, gender identity or marital status, on race grounds, or on the grounds of disability, age, sexual orientation, language or social origin, other personal

attributes, including beliefs or opinions such as religious beliefs or political opinions.

10 Monitoring and Reporting

The Co-operative will use appeals, complaints, comments or suggestions from users of this policy to monitor its effectiveness. These will also be used to prompt a review of the policy where necessary.

A summary of appeals received, including the outcome will be reported to the Finance and Corporate Services Sub Committee on a quarterly basis as required.

11 Review

This Policy will be approved by the Finance and Corporate Services Sub Committee and is reviewed in consultation with staff and Co-operative members. It will be reviewed every three years unless amendment is prompted by a change in legislation, or monitoring and reporting reveals that a change in Policy is required sooner.

12 Legal Framework

- Data Protection Act 1998
- Freedom of Information (Scotland) Act 2002 (the Co-operative is not currently bound by this legislation)

13 References

- Communities Scotland Performance Standard: GS3.5 Openness and confidentiality
- SFHA Raising Standards in Housing: Access to Information (2002)
- BSI: Data protection Guide

14 Related Policies/Documents

- Data Protection and Access to Personal Information Policy
- Committee Membership Policy
- Participation Strategy
- Co-operative web site: www.tenantsfirst.com

