



CONFIDENTIALITY POLICY

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1. INTRODUCTION

Confidential Information belonging to Freehearts Africa Reach Out Foundation is vital to our Organization's success and every employee has a responsibility to use it appropriately, protect its confidentiality and disclose it only if and to the extent authorised to do so. We must also respect the confidentiality of information belonging to others (including competitors, partners) and not seek, accept or use any Confidential Information that we know or suspect we are not authorised to have. When others provide us with their own Confidential Information, we must treat it with the same respect that we give our own Confidential Information and must additionally adhere to any restrictions or conditions upon its use that they require. Inappropriate use or disclosure of Confidential Information can cause serious harm to FAROF and others, damage important relationships, subject employees to disciplinary action and expose employees and the organization to legal, commercial and reputational harm including damages and/or debarment. Breaches of the Policies are not acceptable and may result in disciplinary action up to and including dismissal. This Confidential Information Policy ("Policy") is mandatory and applies to all Employees, Volunteers, Interns, Consultants and Board members of FAROF. This Policy sets the minimum standard that must be followed.

OUR VISION:

FAROF envision serving as a source of humanitarian excellence where there is provision of Free Education, Free Health Care Service delivery and end Gender violence in Africa.

OUR MISSION STATEMENT:

FAROF mission is to reach out to the Vulnerable groups, through commitment to Children, Women and Youths into The Lime LIGHT of PROVISION of free Education, Health service delivery and empowerment Programs That Are Sustainable, Replicable and Appropriate For Hard-To-Reach-Areas.

CORE VALUE

Our core values are: **Excellence** (quality in service delivery), **Humanitarianism** (care for our target individuals), **Transparency** (Openness in our dealings), **Accountability** (responsible and answerable), **Commitment** (dedicated to our service) and **Resourcefulness** (value addition).

2. AIMS AND OBJECTIVES

Employees, Volunteers, Interns, Consultants and Board members of **Freehearts Africa Reach Out Foundation (FAROF)** have a duty of maintaining the confidentiality of information received by them in the course of their employment or engagement. This Confidentiality Policy documents the confidentiality and non-disclosure duties and obligations of the employees, volunteers, Interns, Consultants and board members of FAROF. The Employees, Volunteers,

Interns, Consultants and Board members of **Freehearts Africa Reach Out Foundation** will, in the course of their employment and engagement, become aware of and possess information of the organization or of third parties disclosed to the organization that is not generally known. This may include information which if disclosed could jeopardise the interests of the organization. All Employees, Volunteers, and Board members of FAROF have a duty to keep such information strictly confidential and to use it only for the proper purposes in accordance with the law.

3. PURPOSE

This policy is intended to provide **Freehearts Africa Reach Out Foundation** employees with a basic understanding of their responsibilities to protect and safeguard the Confidential Information to which they have access as a result of their employment.

The purpose of this Confidentiality Policy is to lay down the principles that must be observed by all who work with the Freehearts Africa Reach Out Foundation and have access to confidential information. This policy, where relevant, should be read in conjunction with the appointment letter and/or employment contract applicable to FAROF employees and personnel, and other work rules, policies and procedures applicable to the organization employees and personnel.

4. SCOPE

This policy applies to all FAROF employees and all other persons working in FAROF (including, but not limited to, probationary period Employees, Consultants, Interns, and Volunteers. The term "staff" as used in this policy refers to all FAROF employees and all other persons as defined here. This policy does not nullify additional or specific professional or ethical obligations that may attach to FAROF employees.

5. CONFIDENTIAL INFORMATION

Security and confidentiality of Confidential Information is of the utmost importance at FAROF. It is the responsibility of every Employee, Volunteers, Interns, Consultants and Board members to respect and maintain the security and confidentiality of Confidential Information. A violation of this policy may result in disciplinary action.

For purposes of this policy, "Confidential Information" is defined as information disclosed to an individual employee or known to that employee as a consequence of the employee's employment at FAROF, and not generally known outside FAROF, or is protected by law.

The employees of FAROF manage and have access to confidential information that must stay within our organization. Confidential Information includes but are not limited to – our donors; supporters; information relating to intellectual property such as an invention; research data; decisions; strategies; reports; any documents; drafts of documents of all kinds, passwords and other IT-related information; our computer and software systems and process; policies and procedures; information about employees; and FAROF financial and account information. Individual offices, departments, or programs may have additional types or kinds of information that are considered "Confidential Information" and are covered by this policy.

“Confidential Information” includes information in any form, such as written documents or records, electronic data, electromagnetic or otherwise.

Employees, Volunteers, Interns and Board member are not permitted to share this confidential information with anyone outside the organization, or to remove or make copies of any of FAROF’s records, reports, or documents in any form, without prior management approval. Disclosure of confidential information may lead to disciplinary action, which may include termination of employment, as well as other possible legal action. Additionally, employees of FAROF are prohibited during and/or after employment from using FAROF’s confidential information in any form for their own purposes or for those of other persons or entities. Finally, all confidential information relative to FAROF, regardless of its form, must be returned to the organization at the time of termination of employment with the organization.

All information concerning the organization must be maintained in confidence, and particular care must be taken to avoid discussion of organization affairs with third parties, unless authorization to do so is obtained from the chief executive, or as required by law.

All files, documents, and working papers of the organization are the property of the foundation. Any board member, Employees, Volunteers, Interns or Consultant who purposely, or through a failure to exercise reasonable care, causes confidential information to be disclosed will be subject to disciplinary action, up to and including termination. The obligation to keep information confidential **continues** after an Employee, Volunteer, Intern, Board member, or Consultant ceases to be employed by or affiliated with the organization.

5.1. Personal Addresses

It is the policy of the organization not to give out staff’s personal addresses or phone numbers to outside persons (with the exception of the human resource department’s dealings with benefit providers). Anyone asking for personal information on staff should be instructed to forward all calls, mailings, or invitations to the organization’s office.

5.2. Each employee shall have the following responsibilities under this policy:

1. During employment and after the termination of employment, an employee will hold all Confidential Information in trust and confidence, and will only use, access, store, or disclose Confidential Information, directly or indirectly, as appropriate in the performance of the employee’s duties for FAROF. An employee will not remove materials or property containing Confidential Information from the employee’s department or program area unless it is necessary in the performance of the person’s job duties. Any and all such materials, property, and Confidential Information are the property of FAROF. If materials or property containing Confidential Information are removed from FAROF, the employee must safeguard the materials/property and control access as necessary. It is the responsibility of employees to safeguard and control access to materials and property. Upon

termination of any assignment or as requested by an employee's supervisor, the employee will secure all such materials/property and copies thereof or return all such materials/property and copies to the employee's supervisor or supervisor's designee.

2. An employee will not seek to obtain any Confidential Information involving any matter which does not involve or relate to the person's job duties. Confidential Information or FAROF records, documents, or other information may not be maliciously tampered with, altered, or destroyed.
3. In the case of a health or safety emergency, relevant Confidential Information may be disclosed as necessary to appropriate individuals, e.g., police, or a supervisor.
4. If an employee has any question relating to appropriate use or disclosure of Confidential Information, the employee shall consult with the employee's supervisor or other appropriate FAROF personnel.
5. Each employee must promptly report to the employee's supervisor any known violation of this policy, other FAROF confidentiality or privacy policies, or federal or State confidentiality or privacy laws, by the employee.

6. PRINCIPLES

FAROF expects all of its employees and personnel to handle all confidential information in a sensitive and professional manner. FAROF employees and personnel are under an obligation not to gain access or attempt to gain access to information which they are not authorised to have. The FAROF, however, recognises the importance of an open culture with clear communication and accountability. The organization wishes to maintain personal and organisational safety and expects all employees and personnel to handle confidential information in a way which protects organisational security. The purpose of confidentiality is essentially two fold. Firstly it protects sensitive or confidential information of FAROF. Secondly, in order for FAROF to be effective, FAROF employees and personnel must be able to share information and knowledge, and therefore confidentiality is necessary as a condition of trust. The best protection against breaches in confidentiality is to keep the number of employees and personnel who have access to sensitive information to a necessary minimum. Intentional, repeated, accidental, or unauthorised disclosure of any confidential information by any member of staff will be subject to disciplinary action. Any such disciplinary action will take account of the confidential and possible sensitive nature of the information and will make sure that in dealing with it, no further breaches of confidentiality take place.

7. MAINTENANCE OF CONFIDENTIALITY AND NON-DISCLOSURE

FAROF employees and personnel:

- must keep confidential all confidential information;
- may use confidential information solely for the purposes of performing their duties as an employee of the organization; and
- may only disclose confidential information to persons who are aware that the confidential information must be kept confidential and who have a need to know (but only to the extent that each person has a need to know).

The employee's and personnel's obligation of maintaining confidentiality and non-disclosure does not extend to confidential information that is required to be disclosed by the employee pursuant to an order of a Court or any statutory authority. The employee or person will promptly notify the Organization of any such requirement to enable the organization to take necessary action as deemed fit by the organization in the circumstances.

At the end of the period of employment, FAROF employees and personnel must return to the organization:

- All confidential information in material form;
- Those parts of all notes and other records in whatsoever form, based on or incorporating confidential information;
- All copies of confidential information and notes and other records based on or incorporating confidential information; and
- All of the organization property and assets, in the possession or control of the employee or personnel.

The obligation of maintaining confidentiality and non-disclosure will continue even after the end of the period of employment or engagement in respect of all confidential information.

Any employee found to be in breach of this confidentiality and non-disclosure obligation, whilst employed by the organization will be disciplined, and in serious instances, dismissed. Any ex-employee found to be in breach of this confidentiality obligation may be subject to legal action being taken against them, dependent upon the circumstances of the breach, including cancellation/withdrawal of any or all benefits if extended to the ex-employee by the organization.

This policy will operate in conjunction with the contract of employment or letter of appointment for FAROF employees and personnel.

8. NEED TO KNOW

Confidential information is only to be disclosed on a "need to know" basis, only when the information is necessary to the employee for performing his or her employment duties effectively.

9. CIRCUMSTANCES IN WHICH INFORMATION CAN BE DISCLOSED

- With the written consent of his/her reporting superior for a particular purpose.
- If the information is required by or under a Court order or of a statutory authority, the employee or person will promptly notify the organization of any such requirement to enable the Company to take necessary action as deemed fit by the organization in the circumstances.
- Where disclosure can be justified for any other 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. A request for information by the police must be carefully considered. The organization employee must be able to justify any decision when information has been disclosed.

10. STORAGE OF DATA

- No written document containing confidential information must be left visible where it can be read by anyone. This includes telephone messages, computer prints, letters and other documents.
- All hardware containing confidential information must be housed in a secure environment. Security precautions must be taken in accordance with the FAROF Policy and Procedures.
- General non-confidential information about FAROF is kept in unlocked filing cabinets and in computer files with open access to all FAROF colleagues.
- Personnel information on Employees, Volunteers, Interns and other individuals working within FAROF will be kept in lockable filing cabinets by line managers and will be accessible to the Chief Officer.
- Files or filing cabinet drawers bearing confidential information should be labelled 'confidential'.
- In an emergency situation, the Chief Executive Officer may authorise access to files by other people.

11. DUTIES TO DISCLOSE INFORMATION

There is a legal duty to disclose some information including:

- Child abuse will be reported to the Chief Executive Officer who will report this act to Social Services Department/Police
- Drug trafficking, money laundering or acts of terrorism will be disclosed to Chief Executive Officer who will disclose this to the police.
- In addition colleagues believing an illegal act has taken place, or that a user is at risk of harming themselves or others, must report this to the Chief Executive Officer who will report it to the appropriate authorities.

12. THE MEDIA

Confidential information must not be passed on to members of the press, or other media communications without the written consent of his reporting superior and for a particular purpose. All requests from the media must be dealt with under the organization's procedure for handling media queries.

13. DISPOSAL OF INFORMATION

All media containing confidential information must be disposed off in a manner that ensures that information is not disclosed to an unauthorised person.

14. PROCEDURES FOR SAFEGUARING CONFIDENTIAL INFORMATION

All FAROF Employees, Volunteers, Interns, Consultants and Board members are responsible for safeguarding confidential information and preventing unintended disclosure or use. The following procedures designed to protect our confidential information will be implemented immediately:

1. Confidentiality Agreements: Insure that all employees, including temporary employees, have signed a confidentiality agreement and that the signed agreement is in the employee file.

2. **Marked Documents:** Stamp all confidential documents with a clear “CONFIDENTIAL” mark. The templates for all confidential documents should be changed to include a clear confidential mark on the top of each page.
3. **Restricted Access:** As much as practical, all confidential documents should be stored in locked cabinets and a key log will be kept showing who has access. Computer files containing confidential documents should be marked with the word confidential in the file name. Access to these files should be restricted to appropriate personnel.
4. **Employee Agreement.** All new and current employees must read and sign the Employee Confidentiality Agreement (attached).

15. ANNEX

Breaches of Confidentiality

The FAROF recognises that occasions may arise where individual workers feel they need to breach confidentiality. Confidential or sensitive information relating to an individual may be divulged where there is risk of danger to the individual, a volunteer or employee, or the public at large, or where it is against the law to withhold it. In these circumstances, information may be divulged to external agencies e.g. police or social services on a need to know basis,

Where a worker feels confidentiality should be breached the following steps will be taken:

- The worker should raise the matter immediately with their Line Manager.
- The worker must discuss with the Line Manager the issues involved in the case and explain why they feel confidentiality should be breached and what would be achieved by breaching confidentiality. The Line Manager should take a written note of this discussion.
- The Line Manager is responsible for discussing with the worker what options are available in each set of circumstances.
- The Line Manager is responsible for making a decision on whether confidentiality should be breached. If the Line Manager decides that confidentiality is to be breached then they should take the following steps:

The Line Manager should contact the Chief Executive officer or Chair of the Board of Trustee in the first instance. The Manager should brief the CEO/Chair on the full facts of the case, ensuring they do not

breach confidentiality in doing so. The Line Manager should seek authorisation to breach confidentiality from the CEO/Chair

If the CEO/Chair agrees to breach confidentiality, a full written report on the case should be made and any action agreed undertaken. The Line Manager is responsible for ensuring all activities are actioned.

If the CEO/Chair does not agree to breach confidentiality then this is the final decision of Organisation Name.

Legislative Framework

The Organisation will monitor this policy to ensure it meets statutory and legal requirements including the Data Protection Act, Children's Act, Rehabilitation of Offenders Act and Prevention of Terrorism Act. Training on the policy will include these aspects.

Ensuring the Effectiveness of the Policy

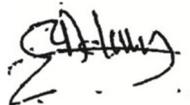
All Board members/Executive Committee members will receive a copy of the confidentiality policy. Existing and new workers will be introduced to the confidentiality policy via induction and training. The policy will be reviewed annually and amendments will be proposed and agreed by the Board member/Executive Committee.

Non-adherence (Breach of confidentiality)

Breaches of this policy will be dealt with under the Grievance and/or Disciplinary procedures as appropriate.

Colleagues accessing unauthorised files or breaching confidentiality may face disciplinary action. Ex-employees breaching confidentiality may face legal action.

AUTHORISED BY



**Ambassador Eunice Adams
Chief Executive Officer**



CONFIDENTIAL CERTIFICATION STATEMENT

STATEMENT OF UNDERSTANDING AND AGREEMENT

I am aware that, during the course of my Engagement/employment with the **Freehearts Africa Reach Out Foundation (FAROF)**, confidential information will be made available to me.

Further, I confirm and understand that this information is proprietary and critical to the success of FAROF and may not be distributed or used outside of the organization's premises or with non-FAROF individuals. In the event of my termination of employment, whether voluntary or involuntary,

I hereby agree that I will not utilize or exploit this information for my own personal gain, or share it with any other individual, nonprofit agency, or company.

Signature

Date

Print Name (Board members, Employees, Volunteers, Interns, Consultant and other individuals concerned)