

A decorative graphic on the right side of the page featuring three blue circles of varying sizes and three thin blue lines. One line starts from the top left and extends diagonally towards the middle circle. Another line starts from the top left and extends diagonally towards the bottom right. A third line starts from the top right and extends diagonally towards the bottom right.

Whartons Primary School Confidentiality Policy

Date of Policy: **December 2020**

**Member(s) of staff
Responsible:** **Julia Dickson**

Review Date: **December 2021**

School Confidentiality Policy

Aim

To protect the child at all times and to give all staff involved clear, unambiguous guidance as to their legal and professional roles and to ensure good practice throughout the school which is understood by pupils, parents/carers and staff.

Rationale

- The Whartons Primary School seeks to put the child at the heart of the learning process and to provide a safe and secure learning environment.
- It is committed to developing creative and positive ways for the child's voice to be heard whilst recognising the responsibility to use, hold and safeguard information received.
- The school is mindful that it is placed in a position of trust by all stakeholders and there is a general expectation that a professional approach will be used in all matters of confidentiality.
- The School has a duty of care and responsibility towards pupils, parents/carers and staff. It also needs to work with a range of outside agencies and share information on a professional basis. Striking an effective and professional balance between these two aims is crucial to the success of a confidentiality policy.

Other Rationales

- The safety, well-being and protection of our pupils are the paramount considerations in all decisions staff, at this school, make about confidentiality. The appropriate sharing of information between school staff is an essential element in ensuring our pupils' well-being and safety.
- It is an essential part of the ethos of our school that trust is established to enable pupils, staff, and parents/carers to seek help both within and outside the school. We, therefore, minimise information sharing to those occasions which are appropriate to ensure pupils and staff are supported and safe.
- Everyone in the school community needs to know that no one can offer absolute confidentiality and that there are limits of confidentiality that can be offered by individuals within the school community - so they can make informed decisions about the most appropriate person to talk to

Definition of Confidentiality

- The dictionary definition of confidential is "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.
- In practice there are few situations where absolute confidentiality is offered. We have to strike a balance between ensuring the safety, well-being and protection of our pupils and staff, ensuring there is an ethos of trust where pupils and staff can ask for help when they need it - and ensuring

that when it is essential to share personal information, child protection procedures and good practice are 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 at the beginning of the conversation that there are limits to confidentiality. These limits relate to ensuring children's safety and well-being. The pupil 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

See Appendix 2 for Guidance Levels of Confidentiality

Objectives

- To provide consistent messages within the school regarding the handling of information about children once it has been received.
- To foster an ethos of trust within the school.
- To ensure that staff, parents and pupils are aware of the school's confidentiality, policy and procedures.
- To reassure pupils that their best interests will be maintained.
- To encourage children to talk to their parents and carers.
- To ensure that pupils and parents/carers know that school staff cannot offer unconditional confidentiality.
- To ensure that there is equality of provision and access for all, including rigorous monitoring of cultural, gender and special educational needs
- To ensure that if there are child protection issues then the correct procedure is followed.
- To ensure that confidentiality is a whole school issue and that during lessons, ground rules are set for the protection of all.
- To understand that health professionals are bound by a different code of conduct.
- To ensure that parents have a right of access to any records school may hold on their child but not to any other child that they do not have parental responsibility for.

Guidelines

1. All information about individual children is private and should only be shared with those staff who have a need to know.
2. All social services, medical and personal information about a child should be held in a safe and secure place which cannot be accessed by individuals other than school staff.
3. The school continues to actively promote a positive ethos and respect for the individual:
 - The Child Protection Officer receives regular training. The Headteacher has ultimate responsibility for child protection.
 - There is clear guidance for procedures for the handling of child protection incidents.
4. All staff have regular training on child protection issues.
 - There is clear guidance for procedures if a member of staff is accused of inappropriate conduct.
 - Staff are aware that effective sex and relationship education which brings an understanding of what is and is not acceptable in a relationship, can lead to disclosure of a child protection issue.
 - Staff are aware of the need to handle all issues about different types of families in a sensitive manner.
 - Any intolerance about gender, faith, race, culture or sexuality is unacceptable and should follow the schools discipline policy.
 - Information collected for one purpose should not be used for another.
5. Parents/carers and children need to be aware that the school cannot guarantee total confidentiality and the school has a duty to report child protection issues.
6. The school prides itself on good communication with parents and carers and staff are always available to talk to both children and parents/carers about issues that are causing concern. The school encourages children to talk to parents/carers about issues causing them concern and may in some cases support the children to talk to their parents. The school would share with parents any child protection disclosure before going on to inform the correct authorities.
7. Parents/carers and children should feel reassured that in exceptional circumstances confidentiality will be broken.
8. All children have a right to the same level of confidentiality irrespective of gender, race, religion, medical concerns and special educational needs. A lot of data is generated in schools by these categories but individual children should not be identified.
9. The school has appointed a senior member of staff as Child Protection Officer. Child protection procedures are understood by staff and training is undertaken every two years for all staff.
10. Confidentiality is a whole school issue. Clear ground rules must be set for any classroom work such as circle time and other PSHE sessions dealing with sensitive issues such as death etc. Strategies are in place and all children are aware of them for dealing with sensitive information which may fall outside the boundaries of child protection procedures. School needs to be proactive so children feel supported but information is not necessarily revealed in a public arena. Even when sensitive information appears to be widely known it should not be assumed by those immediately involved that it is appropriate to discuss or share this information further.
11. Health professionals have their own code of practice dealing with confidentiality. Staff should be aware of children with medical needs and the class information sheet should be accessible to staff who need the information, but not on general view to other parents/carers and children.

12. Photographs of children should not be used without parents/carers permission especially in the press and on the internet and further details about this are clearly stated in the School's Safeguarding Online Safety Policy.
13. Information about children will be shared with parents but only about their child. Parents should not have access to any other child's books, marks and progress at any time, especially at parents' evening. However, parents should be aware that information about their child will be shared with the receiving school when they change school. All personal information about children, including social services records should be regarded as confidential. It should be clearly understood by those who have access to it, and whether those concerned have access to all, or only some of the information

Appendix 1

'Confidentiality' also refers to protecting the information we hold about the pupils in this school and their families. All staff will endeavour to maintain confidentiality when appropriate, for example by considering the conversations they have about pupils and their families, the purpose of these conversations and where these take place. All students and helpers at the school will be made aware of this through our Confidentiality Statement (see below).

Confidentiality Statement:

Teachers talk about their job constantly. Conversations at breaks and lunchtimes are often about school, individual children and their families.

We ask that such conversations are regarded as confidential.

Similarly, the work, progress and behaviour of individual children is a matter of fact for the teacher, the child and the parents of the child. Any comments made by students about a child, or an incident at school may be misinterpreted and lead to misunderstandings.

Small incidents are dealt with in school and should end there. More serious incidents will be discussed, in confidence, with parents. We feel sure you will understand the need for such confidentiality on school matters. As a student/ helper in the school we ask that you respect confidentiality on such matters to avoid misunderstandings and upset.

Record Keeping

Please refer to the schools Privacy Policy and Staff/Employee Privacy Policy for details on the type of personal data processed.

Destruction of Documents

Details around Retention, Disposal and Destruction can be found in the school's retention policy an schedule.

Destruction of files

All records are to be destroyed by shredding or digital deletion when the retention period has expired.

Appendix 2

Different levels of confidentiality are appropriate for different circumstances.

1. In the classroom in the course of a lesson given by a member of teaching staff or an outside visitor, including health professionals.

Careful thought needs to be given to the content of the lesson, setting the climate and establishing ground rules to ensure confidential disclosures are not made. It should be made clear to pupils that this is not the time or place to disclose confidential, personal information. (See setting ground rules and working agreements). When a health professional is contributing to a school health education programme in a classroom setting, s/he is working with the same boundaries of confidentiality as a teacher.

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

It is essential all members of staff know the limits of the confidentiality they can offer to both pupils and parents/carers (see note below and safeguarding policy) and any required actions and sources of further support or help available, both for the pupil or parent/carer and for the staff member within the school. This includes support/advice from other agencies, where appropriate.

All staff at this school encourage pupils to discuss difficult issues with their parents or carers, and vice versa. However, the needs of the pupil are paramount and school staff will not automatically share information about the pupil with his/her parents/carers unless it is considered to be in the child's best interests.

Note: when concerns for a child or young person come to the attention of staff, for example through observation of behaviour or injuries or disclosure, however insignificant this might appear to be, the member of staff should discuss this with one of the Designated Safeguarding Leads as soon as possible. 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 school Safeguarding Policy.

3. Disclosures to a counsellor, school nurse or health professional operating a confidential service in the school.

Health professionals such as school nurses can give confidential medical advice to pupils provided they are competent to do so and follow the Fraser Guidelines (guidelines for doctors and other health professionals on giving medical advice to under 16s). School nurses are skilled in discussing issues and possible actions with young people and always have in mind the need to encourage pupils to discuss issues with their parents or carers. However, the needs of the pupil are paramount and the school nurse will not insist that a pupil's parents or carers are informed about any advice or treatment they give.

Contraceptive advice and pregnancy:

The DoH has issued guidance (July 2004) which clarifies and confirms that health professionals owe young people under 16 the same duty of care and confidentiality as older patients. It sets out principles of good practice in providing contraception and sexual health advice to under-16s. The duty of care and confidentiality applies to all under-16s. Whether a young person is competent to consent to treatment or is in serious danger is judged by the health professional on the circumstances of each individual case, not solely on the age of the patient. However, the younger the patient, the greater the concern that they may be being abused or exploited. The Guidance makes it clear that health professionals must make time to explore whether there may be coercion or abuse. Cases of grave concern would be referred on using child protection procedures.

The legal position for school staff:

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

School staff are not obliged to break confidentiality except where child protection is or may be an issue, however, at The Whartons Primary School we believe it is important staff are able to share their concerns about pupils 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 pupils' safety and well-being is maintained. School staff should discuss such concerns with their line manager/supervisor or the DSL (Designated Safeguarding Lead).

Teachers, counsellor and health professionals:

Professional judgement is required by a teacher, counsellor or health professional in considering whether he or she should indicate to a child that the child could make a disclosure in confidence and whether such a confidence could then be maintained having heard the information. In exercising their professional judgement, the teacher, counsellor or health professional must consider the best interests of the child including the need to both ensure trust to provide safeguards for our children and possible child protection issues.

All staff at The Whartons Primary School receive basic training in child protection as part of their induction to this school and are expected to follow the Safeguarding Policy and procedures. Any concerns should be discussed with the Designated Safeguarding Lead.

Counsellors and Health Professionals:

At The Whartons Primary School we offer pupils the support of a school counsellor with appointments accessed discreetly through the Inclusion Manager. In addition, the school nursing service operate a drop-in service for parents/pupils. These services are confidential between the counsellor or health professional and the individual pupil. No information is shared with school staff except as defined in the school's child protection policy, and guidance from Child Protection law. This is essential to maintain the trust needed for these services to meet the needs of our pupils.

5 Visitors and non-teaching staff:

At The Whartons Primary School, we expect all non-teaching staff, including voluntary staff, to report any disclosures by pupils or parents/carers, of a concerning personal nature to the Designated Safeguarding Lead as soon as possible after the disclosure and in an appropriate setting, so others cannot overhear. This is to ensure the safety, protection and well-being of all our pupils and staff. The Designated Safeguarding Lead will decide what, if any, further action needs to be taken, both to ensure the pupil gets the help and support they need and that the member of staff also gets the support and supervision they need. Visitors are given information about these procedures when they sign-in at reception.

Parents/carers:

The Whartons Primary School 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 school, including any concerns about their progress or behaviour. However, we also need to maintain a balance so that our pupils can share any concerns and ask for help when they need it. Where a pupil does discuss a difficult personal matter staff at school, they will be encouraged to also discuss the matter with their parent or carer themselves.

The safety, well-being and protection of our pupils is the paramount consideration in all decisions staff at this school make about confidentiality.
