

BANKS ST STEPHEN'S CE PRIMARY SCHOOL

CONFIDENTIALITY POLICY

Legal Requirements

Human Rights Act 1998

Gives everyone the right to "respect for his private and family life, his home and his correspondence", unless this is overridden: by the pupil interest, for reasons of child protection, for the protection of public safety, pupil order, health or morals or for the rights and freedoms of others.

Data Protection Act 1998

Applies to personal data of living, identified viable individuals, not anonymised data, manual and electronic records. Schools need to be clear, when collecting personal data, what purposes it will be used for and schools should have policies to clarify this to staff, pupils and parents.

Freedom of Information Act 2000

Amends the Data Protection Act. Gives everyone the right to request any records a public body, including schools, holds about them. A school may withhold information it has if it is considered the information may damage the recipient, if disclosed. School data or record keeping policy should also cover the requirements of this act.

Children's Act 2004

The Children's Act, 2004, sets out the following objectives under the every child matters agenda:

- Children and Young People are mentally and emotionally healthy
- Children and Young People are sexually healthy
- Children and Young People choose not to take illegal drugs
- Children and Young People are safe from maltreatment, neglect, violence and sexual exploitation
- Children and Young People have security, stability and be cared for

At Banks St Stephen's CE Primary School we respect everyone's right to privacy. Everyone in school is expected to work within the guidelines of this policy. Care and due consideration is always taken over decisions to break confidentiality.

Aims of the Confidentiality Policy

- To protect children and young people at all times.
- To provide clear and unambiguous guidance to all members of the school community as to their legal and professional roles in sharing information and around confidentiality.
- To encourage children to talk to a trusted adult if they are having problems.

- To ensure all adults working in school deal confidently with sensitive issues.
- To ensure good practice throughout the school which is understood by the whole school community including families.

Rationale

- The policy seeks to implement the underlying principles of the Every Child Matters Agenda and to address the issues which may arise about sharing information and confidentiality.
- The school 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. Sharing information unnecessarily is an erosion of trust.
- The UN Convention on the rights of the Child supports the view that children and young people should be entitled to confidential support alongside safeguarding them from harm.
- The Healthy Schools Programme recognises the importance of children and young people having access to confidential services, including health services to support their physical and emotional needs.
- 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 information sharing and confidentiality.
- Families, children, young people and other adults should all expect that information they identify as confidential will not be shared with any other party unless it is a safeguarding issue in which case the appropriate member of the school workforce will be consulted or permission has been given as part of the CAF process.
- In practice, there are few situations where absolute confidentiality can be offered in school. The school aims to strike a balance between ensuring the safety, well being and protection of children, young people and the school workforce, ensuring there is an ethos of trust where any member of the school community can ask for help when they need it and ensuring that when it is essential to share personal information, good practice is followed and, when appropriate, safeguarding procedures.

This Confidentiality Policy impacts upon every other school policy including Child Protection, Data Protection, PSHE, SRE, Drug Education, Anti Bullying, Behaviour etc..

Moral and Values Framework

The moral and values framework within which confidentiality is addressed should be consistent with the overarching aims of this church school and should be easily translated into practice in terms of:

- The curriculum content
- The teaching methods

- The relationships within the school

Equal Opportunities Statement

Banks St Stephen's CE Primary School is committed towards equal opportunities in all aspects of school life. This includes the six strands of equality and diversity (disability, race, gender, age, faith and sexual orientation).

Objectives

- To foster an ethos of trust within the school and reassure children and young people that their best interests will be maintained.
- To provide consistent messages in school about handling and sharing information about children and young people once it has been received.
- To ensure that the school workforce, families, children and young people are aware of the school's confidentiality policy and information sharing procedures and that families, children and young people know that adults cannot offer unconditional confidentiality.
- The school workforce will encourage children and young people to talk to their parents and carers.
- To ensure that parents have a right of access to any records the school may hold on their child but not to any other child that they do not have parental responsibility for.
- To ensure that confidentiality is a whole school issue and that in lessons group agreements/ground rules are set for the protection of all.
- To ensure that if there is a safeguarding issue then the correct procedure is followed.

Specific Issues

All adults working in our school (including supply teachers, trainee teachers, work experience students, parent helpers)

- Implement the Child Protection Policy.
- Encourage children to be open with their parents/carers.
- Must maintain professional standards of confidentiality about anything seen or heard within the school.
- Who have a concern about a child, but does not feel they know the child's circumstances well enough to make a judgement about procedure, that adult should discuss their concerns with the child's class teacher who will have greater knowledge of the child, at an appropriate place and time.
- Should adhere to and enforce the school's procedures for the taking of and use of photographs and video recording in school.
- Ensure no child's personal details will be given out over the telephone until the validity of the request has been ascertained via a returned call.
- Unconditional confidentiality should never be given.
- If an adult receives external information that leads them to believe there is a child protection issue, they could refer the information to the DSL.

- Adults should be sensitive when discussing an individual child's behaviour in the presence of another child.
- No adult should enter into detailed discussion about a child's behaviour or academic progress with other children or their parents.
- Will ensure issues of a sensitive nature (e.g. sexual health, substance use, family circumstances, criminal activity, bullying, sexual orientation etc) are kept confidential and are passed to the DSP.

Governors' Meetings

- Governors, in particular those sitting on discipline committees, will not divulge details about individuals (be they staff, families or individual children) to any person outside of the meeting.
- Governors need to be mindful that from time to time issues are discussed or brought to their attention about staff and children. Governors must observe complete confidentiality when asked to do so by the governing body, especially in relation to matters concerning individual staff, children or parents/carers. Although decisions reached at governors' meetings are normally made public through the minutes or otherwise, the discussions on which decisions are based and the decisions themselves, until published, should be confidential.

Information held about children

- Information about children will be shared with parents/carers but only about their child. Parents/carers will not have access to any other child's marks and progress grades at any time. However, parents/carers should be aware that information about their child will be shared with the receiving school, if and when they change school.
- All personal information about children including social services records are regarded as confidential. The Headteacher will decide who will have access, and whether those concerned have access to all, or only selected information.
- Information regarding health reports such as speech therapy, medical reports, SEN reports, SEN minutes of meetings, Social Care and Health Services will be kept securely.

In the classroom

- Ground rules and distancing techniques will be used where sensitive issues are to be addressed e.g. drugs education, sex and relationships education.
- When situations and issues are discussed, depersonalisation techniques are used e.g. collecting group ideas, using case studies, so that issues can be explored without personal information being disclosed.
- All adults/children should not put pressure on other children or adults to disclose personal information and should discourage from applying any such pressure.

- All adults will remind children that some information they share in the classroom may need to be shared with other adults for their protection.
- Children will be reassured that, if information has to be shared, they will be informed first and then supported appropriately.
- If a child and his/her parent/carer wish to highlight an issue to a peer group then this will be carried out sensitively by the class teacher/Headteacher e.g. bereavement.

External visitors

- Outside agencies are made aware of the confidentiality policy and work within its limits when delivering any part of the PSHE curriculum.
- Other professionals work within their own codes of confidentiality when they deliver their services to individual children.

The consequences of revealing confidential information without authority

- Staff and governors should ensure that they are familiar with the Confidentiality Policy and related Policies. While there is an expectation that staff will use their professional discretion in applying the Policy, they should always seek advice from the Headteacher and other line managers where they are unsure.
- Staff should be aware that serious breaches of the Policy may result in disciplinary action being taken. The severity of the sanction will be assessed with regard to the potential harm the disclosure will have caused to the individual concerned. Some breaches of confidentiality could be regarded as potential serious or gross misconduct, which could result in dismissal.
- Governors should be aware that serious breaches of the Policy may result in disciplinary action being taken. Some breaches of confidentiality could be regarded as very serious if the governor is in breach of his/her duty of first confidentiality or to the staff or to the pupils. The governing body, under these circumstances, may suspend the governor for a period of time or ask the Governor to resign his/her position.
- Other adults working in school should be aware that serious breaches of confidentiality may result in them being asked to withdraw their services in school. In the case of external agencies, the Line Manager of the person concerned will be contacted. For parent volunteers the Headteacher will inform the Chair of Governors and the volunteer will not be asked back into school to help.

Dissemination of the Policy

All staff members, governors and adults working in the school (including voluntary helpers) will receive a copy of this Policy. Copies are available to view at the school office upon request, and a short summary of this Policy will be included in the school prospectus. A copy of the Policy is also available on the school web site. Provision is made in school for parents/carers, staff and children to speak confidentially to staff. Parents, carers, staff and children are always made aware that school can never offer complete confidentiality if it is deemed that someone is at risk from harm.

All staff are made aware that they should not pass on information about children or their parents/carers indiscriminately.

Provision has been made for keeping information held in school confidential.

All staff should consider the suitability of the surroundings and the presence of other people when they have conversations with children, parents, carers or other staff that may need to be kept confidential.

Monitoring and review

The DSL will monitor the effectiveness of the Policy throughout the year in consultation with the governor with responsibility for child protection.

Review date: April 2016