



Confidentiality Policy

Agreed by Governors: Summer 2020

To be reviewed: Summer 2022

Introduction

This policy is written in the context of the wide ranging agenda taking place within schools. The different agencies and projects that work in partnership to make education as safe and secure as is possible, and to respect the confidentiality of all within it and for the boundaries to be clear for all those in the school community. Also this policy is to encompass the spirit of "*Working Together to Safeguard Children*" (2018).

Statement of intent

It is our intention to respect the privacy of Governors, Staff, Pupils and their Parents. The policy has been endorsed by the Telford & Wrekin Safeguarding Children Board, Telford & Wrekin Council and produced in collaboration with Telford and Wrekin Primary Care Trust.

Definition

The overall meaning of confidential relationship is openness and agreement about what will happen to information disclosed between two, or more, people. It may not have to take the form of total secrecy. In practice there are a few situations where absolute confidentiality is offered. In most cases only limited confidentiality can be offered. The boundaries of confidentiality should be made clear at the beginning of the conversation. The following principles apply:

- We would define confidential information as being of some significance and not in the public domain; it is usually disclosed in private on the basis of trust.
- A confidential relationship is based on openness and on an agreement about what will happen to information disclosed, providing this has been agreed by the subject.
- Information may be disclosed where there is strong evidence that non-disclosure may be seriously detrimental to the health and/ or wellbeing of the young person. Equality and Diversity issues must be taken into account.

GUIDING PRINCIPLES

Dothill Primary School believes that:

- The safety, well-being and protection of our pupils are a legal requirement and therefore of paramount consideration in all decisions made by staff within the school.
- That this school will provide opportunities for its pupils to access confidential support on school premises in the following ways. This may take the form of conversations with the school nurse, peer support or access to nationally recognised agencies such as Childline.
- It is an essential part of the ethos of all schools that trust is established to enable pupils, staff, Governors and parents/carers to seek help both within and outside the school, enabling the appropriate sharing of information between school based staff, and other agencies, thus ensuring our pupils well-being and safety.
- The number of situations where personal information is shared is kept to a minimum.

- Information is stored securely both electronic and manual.
- Pupils, parents, staff and Governors need to know the boundaries of confidentiality in order to feel safe and comfortable in discussing personal issues and concerns.
- The school's attitude to confidentiality is open and easily understood and everyone should be able to trust the boundaries of confidentiality operating within the school.
- Everyone in the school community needs to know that no one can offer absolute confidentiality in respect of any Child Protection issues.
- This policy sits in conjunction with the schools policies on Child Protection, Anti Bullying, Sex and Relationships Education and Drugs Education. It has been developed and implemented in consultation with the whole school community including pupils, parents, staff and governors.

Aims:

- To give clear guidance to all members of the school about Confidentiality
- To encourage young people to talk to a trusted adult if they are having problems
- To give staff confidence to deal with sensitive issues

In lessons:

- Ground rules should be used where sensitive issues are to be addressed
- Staff should not put pressure on pupils to disclose personal information and should discourage fellow pupils from applying any such pressure

Personal disclosures:

Disclosures from pupils may take place at an inappropriate place or time. If this happens, the member of staff should talk again individually to the pupil before the end of the school day. The member of staff may be able to discuss the issue with an appropriate colleague, to decide on suitable action, without giving the name of the pupil.

Key Points:

- Pupils should know that staff cannot offer unconditional confidentiality
- Pupils should be reassured that, if confidentiality has to be broken in relation to Child Protection issues, they will be informed first and then supported appropriately
- Pupils should be informed of sources of confidential help, for example, School Nurse, Drama therapist, GP or local young person's advice service
- Any personal information should be regarded as private and not passed on indiscriminately (for example in the staff room)

- If a member of staff receives information that leads them to believe that there is a child protection issue, they should refer the case directly to the Designated safeguarding Lead (DSL) following a discussion with the young person involved
- Pupils should be encouraged to talk to their parents and be given support to do so wherever possible

Further Guidance

For all pupils, staff members and governors to enjoy privacy from gossip, for the school to be fair to all its community, and for children and adults to have disciplinary matters dealt with according to the school's own procedures and out of the eye of the wider school community, it is important that:

- Staff do not discuss details of individual cases arising in staff meetings to any person without direct professional connection to and interest in the welfare and education of the individual concerned. Also this should cover areas where free association of staff and pupils is likely.
- No member of staff discusses an individual child's behaviour or learning in the presence of another child in school.
- Staff do not enter into detailed discussion about a child's behaviour or learning with other children or their parents.
- Governors, do not divulge details about individuals (be they staff, families or individual children) to any person outside of the meeting.
- Parents in school, working as volunteers, or as part of the PTA, do not report cases of poor behaviour or pupil discipline to other parents in the school. This allows teachers to deal with such matters in line with school policy.
- At full Governing body meetings matters such as pupil suspension and exclusion, personnel issues and personal details of any member of the school community will be dealt within the Headteacher's Report. This is not for the knowledge of persons outside the Governing body meeting.
- It is important that class teachers and support staff are aware of some confidential matters in order to support individuals. These staff will respect the sensitivity of such cases and not divulge information to people unconnected professionally with the individual concerned. Sharing of information will be on a "need to know basis".
- When volunteers, such as parents and friends of the school are working in classes, they do not discuss educational matters outside the classroom. Staff need to be aware that sharing or using another person's information outside the school setting can lead to criminal penalties.

- Staff, Volunteers, students and supply teachers are asked to read this policy before working in school. Also the school will decide how staff are to be made aware of the Confidentiality Policy and how all within the school community become confident in its use.

Record Keeping

It is important for staff to keep concise and up date records. We follow the advice and guidance of Telford and Wrekin Safeguarding Board to ensure that all procedures are appropriate.

Equal Opportunities

Staff may wish to discuss an individual pupil with a class or group. For instance it can support the inclusion of a child with social integration problems, if their peers are made aware of the condition and so have some idea of what to expect. Similarly a child with SEN, visual or auditory impairment can be supported if his friends know how to support them. In all cases this should be discussed and agreed with the pupil and parents where appropriate beforehand.

Allegations against staff

Allegations whether made against staff, pupils, parents or anyone within the school community, will be dealt with within the Schools normal disciplinary operating procedures. If these allegations are of such a nature that represents Child Protection concerns, and the risk of harm becomes of paramount issue then information will be shared on a "need to know" basis. Delay in this is unacceptable and normal Safeguarding Procedures should be followed. These can be found on www.telfordsafeguardingboard.org.uk

Requests for confidential information

Data Protection Act 2018

The General Data Protection Regulation (GDPR) and the Data Protection Act 2018 introduce new elements to the data protection regime, superseding the Data Protection Act 1998. Practitioners must have due regard to the relevant data protection principles which allow them to share personal information, The GDPR and Data Protection Act 2018 place greater significance on organisations being transparent and accountable in relation to their use of data. All organisations handling personal data need to have comprehensive and proportionate arrangements for collecting, storing, and sharing information. The GDPR and Data Protection Act 2018 do not prevent, or limit, the sharing of information for the purposes of keeping children and young people safe.

To effectively share information:

- all practitioners should be confident of the processing conditions, which allow them to store, and share, the information that they need to carry out their safeguarding role. Information which is relevant to safeguarding will often be data which is considered 'special category personal data' meaning it is sensitive and personal
- where practitioners need to share special category personal data, they should be aware that the Data Protection Act 2018 includes 'safeguarding of children and individuals at risk' as a condition that allows practitioners to share information without consent

- information can be shared legally without consent, if a practitioner is unable to, cannot be reasonably expected to gain consent from the individual, or if to gain consent could place a child at risk.
- relevant personal information can be shared lawfully if it is to keep a child or individual at risk safe from neglect or physical, emotional or mental harm, or if it is protecting their physical, mental, or emotional well-being.

Monitoring and Review

This policy will be reviewed in line with the school's timetable of review and alongside the guidance from the Safeguarding Children Board.

Signed.....Date.....

(Head teacher)

Signed.....Date.....

(Chair of Governors)

FLOWCHART 1: CONFIDENTIALITY

FLOWCHART 2: This flowchart is not comprehensive but gives an overview of the main relevant provisions of the Data Protection Act 1998, for the purpose of this guidance

