

## **Confidentiality Policy**

### **Introduction - Why we need a confidentiality policy**

Our school recognises its legal duty under section 175 Education Act 2002 to work with other agencies in safeguarding children and protecting them from “*significant harm*”. The issue of confidentiality is significant here as children have a right to expect schools to provide a safe and secure environment and are encouraged to share any concerns or worries they have with staff they trust. In order to maintain this trust and confidence, it is essential a child is informed of any need to disclose their information further, and possibly encouraged and supported to do this themselves. Pupils need to be assured their best interests will be maintained and understand staff cannot offer unconditional confidentiality.

Our school seeks to adopt an open and accepting attitude towards people of all ages within its community. It encourages parents and children to discuss any concerns or worries which may affect emotional health/well-being and educational progress; and to see the school as a safe place.

### **Development and Dissemination Process**

This policy was formulated by the Head Teacher and agreed upon by a working party consisting of the Head Teacher, a teacher, a member of the Parent Teacher Association, a teaching assistant and the SEN Co-ordinator. The policy was informed by consultation discussions with pupils during circle time and School Council meetings.

The draft policy was circulated to staff and governors. Parents were informed of the draft policy through the school newsletter and invited to comment. An overview of the policy was discussed by the School Council.

The policy was amended in response to the comments and recommendations that arose through the consultation period and finally approved by the governing body in November 2006. The policy has since been reviewed and agreed by Governors in February 2010, and every two years thereafter.

The policy will be communicated to all relevant partner agencies and visitors and included within the staff induction handbook. A summary of the policy will be disseminated to parents through the newsletter and a copy of the policy will be held in the Head Teacher’s Office, on the school website and in the schools shared area and is available for viewing.

The flow chart for how to deal with confidential disclosures will be displayed on the staff room notice board. (See Appendix 5)

### **Our Aims**

- To highlight the importance of pupils being able to talk to adults in the school to share their problems in a safe and supportive environment.
- To build trust between pupils and staff.

- To provide opportunities for our pupils to access confidential support on school premises in the following ways: teacher and Head Teacher availability and peer support.
- To ensure the well being of those involved in the disclosure of confidential information is safeguarded.
- To prevent the need to deal with each disclosure as a crisis in isolation.
- To ensure that all members of staff, volunteers and visitors maintain pupil and staff confidentiality at all times.

### **Our Objectives and Desired Outcomes**

In order to achieve our aims we will:

- Empower each pupil to exercise control over the choices that will affect their school life.
- Encourage communication between pupils, staff, parents and other relevant parties to take place freely in an environment of mutual trust and respect.
- Enable confidential discussions to take place in a confidential environment. Public places such as the staff room, the classroom and the playground are not, in general confidential environments.
- Inform staff, pupils, parents/carers and partners about confidentiality, and its limitations in this school. Some issues have to be shared with other people/agencies, e.g. child protection, and the differences in requirements of confidentiality between professionals should be recognised.
- Ask all volunteers and visitors to our school to sign a confidentiality form.

### **Desired Outcomes**

- Staff are trained in dealing with issues of confidentiality and feel confident doing so.
- Pupils are aware of and understand how confidentiality works within the school.
- Pupils feel they have control over their own school lives and actions.
- Communication between staff, pupils, parents and other members of the school community is successful and effective.
- Pupils know who they can talk to and when situations are treated as confidential. They also recognise why some disclosures cannot be treated this way.
- Pupils can understand their own feelings and opinions and are confident expressing them.
- Pupils and staff know where they can access relevant support when they need it.
- Referrals to outside specialist services are made more easily and are appropriate to needs.

### **Management and Co-ordination**

The Head Teacher oversees all aspects of confidentiality within school. Her role is to ensure the following:

- An effective structure to oversee the development, implementation, monitoring and review of this policy and to encourage a participatory approach to achieving the objectives

- Staff are aware that they are required to pass on confidential information in the following circumstances:
  - Child protection
  - Circumstances where confidentiality will not be guaranteed by this policy (see guidance on school specific information– Appendix 1)
- Members of staff are aware of whom to inform in the event of different types of disclosures of a personal nature
- Parents/carers' right to view their own child's educational records upon written request is facilitated by the school (it is therefore not possible to guarantee the confidentiality of recorded information).
- All staff, including support staff and lunchtime supervisors, are entitled to support and training relating to confidentiality. A range of provision will need to be identified that meets staff needs across a range of roles and responsibilities.
- Areas of staff expertise and individual staff development needs will be identified through existing staff development systems. This will be ascertained through a staff audit and performance management needs.
- Staff can seek advice and support for themselves when dealing with a disclosure whilst keeping the individual's identity anonymous. The school will maintain an up-to-date list of appropriate contacts for staff so that they can seek support. This will include the following members of staff at this school:

Head Teacher: Mrs K Middleton

In her absence:

Assistant Head Teacher: Mrs J Newman

### **Staffing and Staff Co-ordination**

Confidentiality Overseer: Head Teacher or Assistant Head Teacher (K Middleton/J Newman)

#### **External Agencies Available:**

##### **Safe-guarding children**

Sophie Morley (01926 742601)

##### **Drugs and alcohol**

CYPDAS - COMPASS (01788 578 227)

##### **Pregnancy and Sexual Health**

School Nurse – COMPASS (03300 245 204)

##### **Bullying, Racism**

Victim Support WCC (01926 682693)

#### **Family Information Service**

Online [fis@warwickshire.gov.uk](mailto:fis@warwickshire.gov.uk)

Twitter – @WarksFIS

Facebook – Warwickshire Family Information Service

Phone

### **Partnerships**

Our school values working in partnership with parents/carers and with the wider school community and sees it as an essential part of promoting healthy lifestyles. Partnership working will be promoted through policy development, home-school contracts, working with outside agencies, health professionals, Healthy Schools staff, work with parents, etc.

### **Responsibilities to Parents/Carers/Pupils**

- Staff will encourage pupils to inform and seek support from their parents/carers.
- When the school chooses to inform parents/carers about an issue, it will only be done if it is in the best interests of the child. Members of staff are not legally obliged to inform parents/carers in many instances when personal information has been disclosed. (See Guidance on school specific – Appendix 1).
- Where it is believed that the pupil may be at emotional or physical risk or in breach of the law, staff will ensure that the pupil is aware of the risks they face.
- In most cases information provided by a pupil will only be passed to their parents/carers with the pupil's consent.
- Any information recorded about a pupil will be written in a way that assumes it will be read by either the subject or their parents/carers.
- Pupils will be advised (wherever possible prior to a disclosure) what kinds of disclosure will require information to be shared, what will be done with the information and who else will have access to it.

### **Working with External Agencies**

- Anyone working with pupils from the school, particularly on sensitive areas of the curriculum, will be made aware of the school's confidentiality policy. (See Appendix 2 For General Confidentiality Points)
- Our school acknowledges and supports the differences between the role of any non-school staff as educators, and as providers of information and support to pupils. The boundaries between these roles will be clarified and agreed prior to involvement. Any distinctions in terms of confidentiality need to be made clear to pupils. (See Appendix 3).
- In reference to recorded information, agencies such as the Police and Children and Young People's Services may be able to get a court order to gain access to *processed* information, which the school deems confidential. This can also include the Local Authority's legal department and insurers, as well as other solicitors, e.g. in custody cases.
- Members of staff are not obliged to inform the police on most matters relating to illegal activity, e.g. illegal drugs activity, assaults. In the case of illegal activity, the school will discuss the possible consequences with the pupil and seek the course of action with the most positive outcomes for the pupil. However, this is unlikely to happen in an infant school.

**Date of policy:** March 2007

**Reviewed** February 2010  
**Date of next Review:** March 2023  
Reviewed: January 2009  
Reviewed September 2011  
Reviewed March 2015  
Reviewed March 2017  
Reviewed March 2019  
Reviewed March 2021  
Reviewed March 2022  
Reviewed March 2023

**Who the review will involve:** Head Teacher, Assistant Head Teacher, Governors and Teaching Staff

Senior member of staff responsible for overseeing that this policy is implemented and regularly reviewed: Kay Middleton

Other Related School Policies: PSHE, Child Protection, Drugs Ed, Sex and Relationships Ed, SEN, Equal Opportunities, Bullying, Behaviour Policy,

Appendix 1: School Specific Information (Child Protection)

Appendix 2: General Confidentiality

Appendix 3: Roles of Teaching and Non Teaching Staff

Appendix 4: Confidentiality Agreement sheet – work experience, students, visitors, Parent helpers etc.

Appendix 5: Confidentiality flow chart

Considerations for additions to this policy at review: Data held  
Freedom of information policy

## **Appendix 1**

### **School Specific Information (Child Protection)**

1. Any person working with children in school is required to provide a CRB Disclosure form.
2. The Head Teacher is the named person responsible for Child Protection, in her absence, it is the Assistant Head Teacher.
3. Any concerns need to be reported directly to the Head Teacher.
4. There is a form to be completed in the staffroom.
5. If a child makes a disclosure, do not ask any questions, and explain that you need to share the information with the Head Teacher.

## **Appendix 2**

### **General Confidentiality**

- Staff must understand that issues relating to the school should NOT be discussed outside of school. If staff have concerns about issues, there are proper protocols to follow. Gossip and breaches of confidence will be treated as disciplinary matters.
- Volunteer helpers in school must sign to say they have read the Confidentiality Policy which outlines expectations in confidentiality. Breaches of confidence may result in adults not being allowed to work in school.
- All information about individual children is private and should only be shared with those staff that have a need to know.
- All social services, medical and personal information about individuals should be held in a safe and secure place which cannot be accessed by individuals other than school staff.
- Information on staff can only be accessed by the Head and Office Staff, some information can only be accessed by the Head Teacher.
- Good communication with parents and carers is paramount and staff are 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.
- All individuals 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 individuals should not be able to be identified.
- Confidentiality is a whole school issue. Clear ground rules must be set for any classroom work such as circle time and other PHSE sessions dealing with sensitive issues such as relationships and drugs.
- All children, parents, staff members and governors must enjoy privacy from gossip. All matters are dealt with according to the school's procedures and are out of the eye of the wider community.

- Health professionals are bound by their professional codes of conduct to maintain confidentiality when working in a one to one situation. When working in a classroom, they are bound by relevant school policies. In line with best practice guidance, like other school staff, they will seek to protect privacy and prevent inappropriate personal disclosures in a classroom setting, by negotiating ground rules and using distancing techniques.
- Staff should be aware of children with medical needs. This information should be accessible to staff who need it but not on general view to other parents/carers and children.
- Photographs of children should not be used without parents/carers permission especially in the press and internet. This is often a cultural issue of which the school needs to be aware. At no time should the child's name be used with a photograph so that they can be identified.
- Information about children will be shared with parents but only about their child.
- 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 and staff 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.
- Information regarding health reports such as speech therapy, medical reports, SEN reports, SEN minutes of meetings and social services minutes of meetings and reports will be circulated in envelopes and once read should be returned for secure filing.
- Logs of administration of medication to children should be kept secure and each child should have their own individual log.
- In all other notes, briefing sheets etc a child should not be able to be identified.
- Addresses and telephone numbers of staff, parents and children will not be passed on except in exceptional circumstances or to a receiving school.
- Governors must observe complete confidentiality when asked to do so by the governing body, especially in relation to matters concerning individual staff, pupils or parents.
- Although decisions reached at governors' meetings are normally made public through the minutes or otherwise, the discussions on which decisions are based should be regarded as confidential. Governors should exercise the highest degree of prudence when discussion of potentially contentious issues arises outside the governing body.

### **Appendix 3**

#### **Roles of Teaching and Non Teaching Staff**

It is important that:-

- Staff do not discuss details of school issues to any person without direct professional connection to and interest in the welfare and education of the individual concerned.
- Adults should avoid discussing an individual child's behaviour within hearing of another child in school.
- Staff do not enter into detailed discussion about a child's behaviour with other children or their parents.
- Governors do not divulge details about issues or individuals (be they staff, families or individual children) to any person outside of the meeting.
- Adults in school working as volunteers 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 Governing Body meetings matters such as pupil exclusion, personnel issues and personal details where any member of the school community is identified, will be considered confidential minutes which are filed separately and are not published.
- Staff performance management will be carried out privately. Targets for individuals, named lesson observation sheets and other performance data will be kept in the Head Teacher's office.
- Matters of Child Protection are made known to staff on a need to know basis.

**Appendix 4**

Confidentiality Agreement sheet – work experience, students, visitors,  
Parent helpers etc.

**Confidentiality Agreement Form**

(Please refer to the **Galley Common School Confidentiality Policy**)

I .....(print name), agree to ensure the confidentiality of children, staff and parents at Galley Common School.

I will ensure I pass on relevant information, regarding a child, to the class teacher or Head Teacher.

Signed \_\_\_\_\_ Date \_\_\_\_\_

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Signed \_\_\_\_\_ Date \_\_\_\_\_

## Appendix 5

### Confidentiality flow chart

#### 2. Confidentiality: Decision Chart



