

HARESTOCK PRIMARY SCHOOL

SCHOOL POLICY

CONFIDENTIALITY POLICY AND PROCEDURES

Date: Summer term 2018

Review Date: Summer term 2020

Rationale

The following policy is based on the principles that:

Each person has a right to be treated with respect, dignity and integrity.

Each person has the right to personal growth and development as stated within the United Nations Convention on Human Rights and the Rights of the Child

There is a professional ethical responsibility within the school establishment to respect an individual's right to control personal information and access to it.

Aim

All members of staff working on the school site are clear about the levels of confidentiality that they can offer to the school community and expect of themselves.

Objectives

- To be transparent about the process for developing and reviewing this policy.
- For everyone to understand the varying levels of confidentiality which might be offered in different circumstances.

A clear, explicit and well-publicised confidentiality policy ensures good practice throughout the school, which staff, (including staff from external agencies), parents/carers and pupils can easily understand.

The school needs to be clear about the boundaries of their legal and professional roles and responsibilities e.g. Child Protection/ safeguarding procedures.

Different professionals can offer varying levels of confidentiality in different circumstances, which can confuse staff and pupils.

Sometimes parents/carers and families may wish to disclose information confidentially to the school. Schools need to be clear about their position.

Confidentiality of Pupil Information

Any discussions with regards pupils should be of a professional nature and should only be held in areas of the school where confidentiality and privacy can be guaranteed. Corridors or open spaces where parents or other pupils may hear confidential information are not appropriate at most points of the day. The staff room is occasionally used by external visitors and students, and therefore permanent members of staff should consider this factor before embarking on any discussion about pupils. In some circumstances only certain members of staff who work closely with a pupil will be made aware of confidential details from external

agencies. This information must not be shared with any other member of staff, due to the sensitivity of some situations. Some information when appropriate will be passed onto a receiving teacher, for example when a pupil moves from one class to another.

We recognise that there are occasions when pupils are worried about something and feel that they cannot talk about it to their parents/carers. This can result in enormous stress for the individual which impacts on their education and health. Some pupils may feel that they can turn to teachers and other staff members for support and we want to be as helpful as we can whilst recognising that there may be some potential difficulties in being supportive. You should adhere to the following policy:

Where and to whom the policy applies

The policy should refer to:

- All teaching and non-teaching staff employed by the school.
- All visiting staff working with young people on the school site during the school day.
- Visitors working with pupils on the school site during the school day e.g. parent helpers, Teaching students, work experience students.
- Staff from external agencies delivering services on the school site e.g. School nurse, police liaison, sports club coaches etc.

Procedure and guidelines

- When talking with pupils, it is important for you to be aware of maintaining your professional boundaries. Whilst being supportive where you can, distancing techniques should be used when appropriate and pupils encouraged or supported to access the confidential services offered on the school site.
- **You must be clear to pupils that you cannot offer unconditional confidentiality when a pupil first begins to talk about something where confidentiality may become an issue.**
- Pupils should be warned that if there is a child protection/ safeguarding issue where the pupil or others, are likely to be at risk of significant harm, **you are under a duty to inform the school's Senior Designated Person who may have to involve other agencies.** (Please refer to the school's child protection/ safeguarding procedures for further advice on this aspect). It is important that each member of staff deals with this sensitively and explains to the pupil that they must inform the appropriate people who can help the child, but that they will only tell those who need to know in order to help.
- School staff can only offer confidentiality to pupils on issues that do not involve significant illegal activities e.g. drug trafficking, arson, etc. If the conversation begins to move to this kind of issue, the pupil must be warned that confidentiality cannot be guaranteed.
- In all cases where you feel that you have to break confidentiality with the pupil, you must inform the pupil, (unless there is a good reason not to inform them e.g. risk of harm) and reassure them that their best interests will be maintained.
- In talking with pupils, you need to encourage them to talk to their parents/carers about the issue that may be troubling them and support in doing this should be offered where appropriate.
- Pupils should be made aware of the specialist confidential services that may be available on the school site or in the school community eg school nurse, counsellor, doctor or young people's drop-in service.

- Personal, medical, SEN and children's services information about children should be held in a secure location.
- Volunteers are advised to follow the procedures above, but share immediately with the class teacher should a child choose to share information relating to a worry or concern.

Health Professionals (School Nurse Team)

Health services can offer confidential health services to pupils under the age of 16, providing they follow the Fraser Guidelines which require:

- The young person understands the advice and has sufficient maturity to appreciate what is involved in terms of moral, legal, social and emotional implications for themselves.
- They cannot be persuaded to tell their parent, or allow them to be informed.
- The young person's physical or mental health is likely to suffer unless they receive advice or treatment.
- It is in the young person's best interests to give advice or treatment.

The requirement to offer a confidential service is within the professional code of practice for school nurses and other health staff. Health professionals must also inform appropriate services if they become aware of a child protection issue in discussions with a young person.

Emotional Literacy Support Assistants: Confidentiality and pupils.

- E.L.S.A.s may be approached by pupils for a confidential discussion. Sometimes teaching staff may refer pupils to E.L.S.A.s for discussion. They **can not offer confidentiality over a child protection issue or an illegal activity** but because sometimes it is necessary for a pupil to talk about a deep –seated troubling issues in order to help the pupil through their situation, they are not required to inform senior or pastoral staff unless there is a significant risk to the child or it is in the child's best interests to do so. Information will be shared with appropriate people such as the pupil's teacher or member of the Senior Leadership team on a need to know basis.

Work Experience students: Confidentiality and pupils

Pupils are not allowed to promise to keep secrets but all conversations between student/pupil will be kept confidential except in the following circumstances:

- The student must tell the child's teacher if a pupil says anything about abuse or any thing else that might make them worry about the pupil's safety.
- If a pupil is about to talk about this sort of information, the student must tell them that they need to accompany them to a teacher so they can help them.
- If a student has a concern about the content of a discussion with a pupil they are encouraged to discuss it with the class teacher or their co-ordinator – it will go no further unless it is one of the above.

Parents, Families or Carers: Confidentiality

The School recognises that there may sometimes be family issues which might affect a pupil and which a family will only disclose to us if they can be sure the information will be treated confidentially. We will respect the wishes of the family and where it is felt necessary to share information given to us, this will be discussed with the parent first unless a child is considered to be at immediate risk and /or there is an overriding child protection concern.

Staff and Governors: Personal Confidentiality.

All staff can expect that their personal situations and health will remain confidential unless:

- It impinges on their terms of contract
- Endangers pupils or other staff members
- There is a legal obligation to disclose such information
- It is necessary for legal proceedings
- Despite the duty of confidence, the staff member's interest or the wider public interest justifies disclosure.

The following policies are linked and supported by this Confidentiality policy

Code of Conduct for Staff
Staff "Do's and Don'ts" for Acceptable Use of IT
Safeguarding/Child Protection Policy
Special Educational Needs (DSEN) Policy
Health and Safety Policy

Dissemination

This policy should be published to all in the school community through

- school prospectus
- school newsletters
- parent discussion meetings
- Job details to applicants
- website information
- agreements with other support agencies working on the school site
- class circle time meetings in form of Appendix 2 pupil concerns
- staff induction material
- by emphasising links to the school's P.S.H.E., Behaviour management Policy, Child Protection Policy and Procedures

Staff support and training;

- Inset training eg: in Child Protection / Safeguarding
- Training by Hampshire Children's Services
- Service Level agreement support work with visiting agencies.
- Governor training

APPENDIX 1

Statement for Parents/Carers concerned with confidentiality and pupils.

There is increased national concern for the emotional health and well-being of children growing up in today's society. We recognise that as parents/carers you want to do all you can to support your child, but even in the most supportive of relationships there can be occasions when children are worried about something and do not share it with you. They instead express their concerns to someone within school. Sometimes children's concerns put them under stress, which can affect their education, health and behaviour. Whilst we recognise that parents and carers will naturally be disappointed if their child chooses to talk to someone else about what is troubling them, we feel it is important that pupils are not left to cope with an issue themselves.

APPENDIX 2

Statement for pupils concerning confidentiality.

We want you to know that there will always be an adult in school who is available to listen to you and hear any concerns you may have. There are times when you may have worries but you feel you can't talk about them with your family.

Everyone at school will try and do all they can to help you but you need to know these things: -

- Adults at school can help you with many of the things that may be worrying you but they cannot promise to keep everything to themselves. Sometimes, if it is really serious, they will have to let Mrs Sankey know who might then have to speak to your parent, the police or Children's Services.
- If you really want to talk to somebody without anybody else knowing what you have said, you can speak to the School Nurse. We might be able to find someone else outside of school if you think this would be better for you.
- If the adult you speak to feels that they have to tell someone else what you've talked about, they will always tell you first and help you sort it out, perhaps helping you to speak to your parent if you want this. Sometimes, even the School Nurse may have to tell someone else what you have said but they will tell you first and always help you sort things out.

