

CONFIDENTIALITY POLICY

Policy Type	
Adopted by	Trustees
Chair of the Trustees	Rev Nigel Sinclair
Date	23.05.2019
To be reviewed	23.05.2021

Statement of Intent:

The Academy understands that the safety, wellbeing and protection of children is of paramount importance. With this in mind, all children must be able to expect certain levels of trust when sharing personal information with Academy staff.

Children need to know that they can seek help from the Academy in a safe and confidential manner. This policy guides Academy staff and visitors on the policy and procedures surrounding confidentiality.

Academy members adopt a supportive and accepting attitude towards children as part of their general responsibility for pastoral care. It is our hope that children and parents/carers feel free to discuss any concerns and worries they have, that may affect educational progress with members of the Academy team.

The Child Confidentiality Policy aims to:

- Promote a supportive and accepting ethos within the Academy;
- Safeguard the wellbeing of children;
- Build trust between children and staff;
- Empower children to exercise control over their situation and voice their concerns;
- Prevent the Academy dealing with each disclosure in isolation.

Legal Framework:

This policy has due regard to legislation, including, but not limited to, the following: The Education Act 2011

The Data Protection Act 2018

The Human Rights Act 1998

The Freedom of Information Act 2000

Links with other Policies and Practices:

This policy will be implemented in conjunction with the following policies:

Elevate Data Protection Policy

Elevate Child Protection and Safeguarding Policy

Elevate Anti-Bullying Policy

Elevate Complaints policy

Whistleblowing Policy

Definitions:

For the purpose of this policy, 'confidentiality' is an understanding that any information shared with someone in trust will only be passed on to a third party with the prior agreement of the person disclosing it.

For the purpose of this policy, 'disclosure' is the sharing of any private information, but which is not solely in relation to child protection issues. Disclosure of the contents of a conversation may be discussed with professional colleagues, but the confider is not identified except in predetermined circumstances.

The Designated Safeguarding Lead (DSL) is a designated staff member responsible for ensuring the Academy's Child Protection and Safeguarding Policy is implemented by the Academy, which ensures the wellbeing and protection of children.

The DLS is

The DDSL is:

Policy Application:

This policy deals with personal information that may be divulged during the course of a school day. It is not meant to deal with certain extreme situations where there is an urgent need for the disclosure of information to relevant bodies.

In extreme situations, such as medical emergencies, staff members will pass on information as necessary for the wellbeing of the child.

All information about an individual child is private and will only be shared with staff members who have a legitimate need to know. All data is processed and held in line with Elevate's Data Protection Policy.

The DSL is responsible for referring the child's confidential information to multi-agency support services.

Staff members may not make pass on confidential information unless they believe a child protection referral to the police or social services is necessary and the DSL does not agree.

Limits of Confidentiality:

In practice, there are few situations where absolute confidentiality can be offered. The Academy aims to strike a balance between confidentiality and trust, and ensuring the safety, wellbeing and protection of its children.

In almost all cases of disclosure, limited confidentiality is on offer.

The professional judgement of a teacher, counsellor or health professional is vital when considering whether to inform a child that a disclosure may be made in confidence, and whether such confidence could remain having heard the information.

Classroom Confidentiality:

It is made clear to children that the classroom is not a place to disclose confidential, personal information. Children are made aware that a staff member is always available to talk to them in private when needed. If a visitor to the classroom is contributing to the lesson, they will work within the same boundaries of confidentiality as the teacher.

One-To-One Disclosures:

Staff members will make it clear to children that they may have to pass on some information if they believe the child is at risk. When concerns for a child come to the attention of staff, e.g. through observation of behaviour, injuries or disclosure (however insignificant these might appear), the member of staff always discusses the issue with the DSL as soon as possible.

In accordance with the Elevate's Child Protection and Safeguarding Policy, more serious concerns, such as those involving potential abuse, are immediately reported to ensure that any intervention necessary to protect the child is accessed as early as possible.

Disclosures to Health Professionals:

Health professionals, such as the school nurse, may give confidential information to children, provided the information is in regards to the child's wellbeing, and they are competent to do so and follow the correct procedures. The school nurse is skilled in discussing issues and possible actions with young people. On a need-to-know basis, the school nurse may share information with appropriate staff in to enable improved support for children.

Breaking Confidentiality:

When confidentiality must be broken because a child may be at risk of harm, in accordance with Elevate's Child Protection and Safeguarding Policy, the Academy will ensure the following:

- Children are told when the information has been passed on;
- Children are kept informed about what will be done with the information
- To alleviate their fears about everyone knowing, children are told exactly who their information has been passed on to.

The DSL is to be informed of any child protection concerns. Staff members are contractually obliged to immediately inform the head teacher.

Staff members are not obliged to inform the police on most matters relating to illegal activity, such as illegal drugs or assaults; instead, these are assessed on a case-by-case basis with the support of the senior leadership team.

Staff members are not permitted to pass on personal information about children indiscriminately.

Guidance for Teaching Staff:

The safety and protection of the child is the paramount consideration in all confidentiality decisions. Staff members are not obliged to break confidentiality unless there is a child protection concern. Staff members are encouraged to share their concerns about children in a professional and supportive way. In extreme cases, staff in breach of this policy may face disciplinary action, if it is deemed that confidential information was passed on to a third party without reasonable cause.

The following principles are adhered to when supporting children:

- Personal matters are discussed in an appropriate time and place;
- Children with concerns are spoken to in confidence as soon as possible;

- Where there are child protection concerns, the child is always spoken to in confidence before the end of the school day;
- Children are told, prior to disclosures, that a staff member cannot guarantee confidentiality if they think a child is being hurt by others, hurt themselves, or hurt someone else;
- Children are not interrogated or asked leading questions;
- Children are not placed in the position of having to repeat the disclosure to several people;
- Children will be informed before any information is shared;
- Where appropriate, children are told to confide in their parents or carers

Staff members may find themselves dealing with highly personal issues and potentially upsetting disclosures. With this mind, staff members are encouraged to seek help from the DSL or DDSL if they are unsure about how to respond to a situation. The Academy has access to several external agencies that specialise in providing advice and support.

External Visitors:

All external visitors are made aware of the Confidentiality Policy and work within its limits when interacting with children. Healthcare professionals work within their codes of confidentiality when delivering their services within the Academy.

Informing Parents or Carers:

The Academy works with parents or carers to create a partnership of trust. It endeavours to inform parents or carers of their child's progress and behaviour. When a child discusses a personal matter with a staff member, they are encouraged to share the information with their parents or carers, unless there is an identifiable child protection risk associated.

Where a staff member believes a child protection risk is posed in regards to the family of the child, following a disclosure, the staff member will **immediately** contact the DSL.

Dissemination:

All parents or carers are made aware of Elevate's Confidentiality Policy and are informed that a copy can be viewed at the Academy office and on the Academy website. Parents or carers are made aware that the Academy cannot offer complete confidentiality if they deem a child is at risk from harm.