



ST JOSEPH'S CATHOLIC PRIMARY SCHOOL AND NURSERY,  
HEDNESFORD

- THIS DOCUMENT IS THE SCHOOL'S CONFIDENTIALITY POLICY.
- IT WAS APPROVED by the governing body on 16<sup>th</sup> March 2016
- THIS POLICY WILL BE REVIEWED bi-annually.
- LAST REVIEWED: 11<sup>th</sup> July 2018
- NEXT REVIEW: March 2020

**Rationale and statement on the importance of confidentiality.**

**At St Joseph's Catholic Primary School we believe that:**

- The safety, well-being and protection of our pupils are paramount in all decisions made by staff at this school about confidentiality. The appropriate sharing of information between staff is an essential element in ensuring our pupils' well-being and safety.
- It is an essential part of the ethos of our school that trust is established to enable pupils, staff and parents/carers to see help both within and outside the school and minimise the number of situations when personal information is shared to ensure students, staff are supported and safe
- Pupils, parents/carers and staff 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 academy.
- Issues concerning personal information and personal matters can arise at any time.
- Everyone in the school community needs to know that no one can offer absolute confidentiality.
- Everyone in the school community needs to know the limits of confidentiality that can be offered by individuals within the school community so they can make informed decisions about the most appropriate person to talk to about any personal issue they want to discuss.
- It forms part of the induction of all new staff, including voluntary staff and is reviewed every year.

**Definition of Confidentiality**

The dictionary definition of confidential is "something which is spoken or given in confidence; private, entrusted with another's secret affairs"

When speaking confidentially to someone the confider has the belief that the confidant will not discuss the content of the conversation with another. The confider is asking for the content of the conversation to be kept secret. Anyone offering absolute confidentiality to someone else would be offering to keep the content of his or her conversation completely secret and discuss it with no one

In practice there are few situations where absolute confidentiality is offered in St Joseph's Catholic Primary School. We have tried to strike a balance between ensuring the safety, well-being and protection of our pupils and staff, ensuring there is an ethos of trust where pupils and staff can ask for help when they need it and ensuring that, when it is essential to share personal information and child protection issues, good practice is followed.

This means that, in most cases, what is on offer is limited confidentiality. Disclosure of the content of a conversation could be discussed with professional colleagues but the confider would not be identified except in certain circumstances.

**The general rule is that staff should make clear that there are limits to confidentiality at the beginning of the conversation. These limits relate to ensuring a child's safety and well-being.**

Different levels of confidentiality are appropriate for different circumstances.

1. **In the classroom in the course of a lesson** given by a member of teaching staff or an outside visitor, including health professionals. Careful thought needs to be given to the content of the lesson, setting the climate and establishing ground rules to ensure confidential disclosures are not made.
2. **One to one disclosures to members of school staff (including voluntary staff).**

It is essential that all members of staff know the limits of the confidentiality they can offer to both pupils and parents/carers (see note below) and any required actions and sources of further support or help available both to the pupils or parent/carer and for the staff member within the school and from other agencies, where appropriate.

(Note: That is, when concerns for a pupils come to the attention of staff, for example, through observation of behaviour or injuries or disclosure, however insignificant this might appear to be, the member of staff should discuss this with the Designated Safeguarding Lead as soon as is practicably possible. More serious concerns must be reported immediately to ensure that any intervention necessary to protect the child is accessed as early as possible. (Please see the school's safeguarding policy)

3. **Disclosures to a school nurse or health professional operating a confidential service in the school.**

Health professionals such as school nurses can give confidential medical advice to pupils provided they are competent to do so. School nurses are skilled in discussing issues and possible actions with pupils and always have in mind the need to encourage pupils to discuss issues with their parents/carers. However, the needs of the pupils are paramount and the school nurse will not insist that a pupil's parents/carers are informed.

#### **The legal position for school staff:**

School staff (including non-teaching and voluntary staff) should not promise confidentiality. Pupils do not have the right to expect that incidents will not be reported to his/her parents/carers and may not, in the absence of an explicit promise, assume that information conveyed outside that context is private. No member of this school's staff can or should give such a promise. The safe, well-being and protection of the child is the paramount consideration in all decisions staff at this school make about confidentiality.

School staff are NOT obliged to break confidentiality except where child protection is or may be an issue, however, at St Joseph's Catholic Primary school we believe it is important that staff are able to share their concerns about pupils with colleagues in a professional and supportive way, on a need to know basis, to ensure staff receive the guidance and support they need and the pupils' safety and well-being is maintained. School staff should discuss such concerns with their line manager or the Designated Safeguarding Lead.

#### **Teachers, Counsellor and Health Professionals:**

Professional judgement is required by a teacher, counsellor or health professional in considering whether he or she should indicate to a child that the child could make a disclosure in confidence and whether such a confidence could then be maintained having heard the information. In exercising their professional judgement the teacher, counsellor or health professional must consider the best interest of the child, including the need to ensure trust, to provide safeguards for our children and to take into account possible child protection issues.

All teachers at this school receive level 1 training in child protection and are expected to follow the school's safeguarding policy and procedures.

### **Visitors and Non-Teaching Staff**

At St Joseph's Catholic Primary School we expect all non-teaching staff, including voluntary staff, to report any disclosures by pupils or parents/carers of a concerning personal nature to the Designated Safeguarding Lead as soon as possible after the disclosure and in an appropriate setting, so others cannot overhear. This is to ensure the safe, protection and well-being of all our pupils and staff. The Designated Safeguarding Lead will decide what, if any, further action needs to be taken, both to ensure the student gets the help and support they need and that the member of staff also gets the support and supervision they need.

### **Parents/Carers**

St Joseph's Catholic Primary School believes that it is essential to work in partnership with parents and carers and we endeavour to keep parents/carers abreast of their child's progress at school, including any concerns about their progress or behaviour. However, we also need to maintain a balance so that our pupils can share any concerns and ask for help when they need it. Where a pupil does discuss a difficult personal matter with staff at school, they will be encouraged to also discuss the matter with their parent or carer themselves.

The legislation that we have taken into account in the writing of this policy is:

**Human Rights Act 1988:** Gives everyone the right to "respect for his private and family life, his home and his correspondence", unless this is overridden by the 'public interest', e.g. for reasons of Child Protection, for the protection of public safety, public order, health or morals or for the rights and freedoms of others.

**Data Protection Act 2018:** Applies to personal data of living, identifiable 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.

**Links to other school policies and procedures:**

**This policy is intended to be used in conjunction with the schools**

PSHEE (including SRE/Drugs); Safeguarding; Anti-Bullying; Positive Behaviour, Whistleblowing; Looked after Children

**Review:** This policy is reviewed every 2 years or whenever deemed necessary by the Headteacher and Governors in the light of events and changes in the law.