



CONFIDENTIALITY POLICY

Crofton Infant and Junior Schools are committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

Staff Responsible:

Head Teachers

Inclusion Leader

Date of Review:

September 2018

Date of Next Review:

September 2020

SUMMARY OF CHANGES

Date	Change
September 2018	Policy re-written

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1. Aims

The purpose of this policy is to:

- establish the schools' approach to ensuring the confidentiality of personal information. The policy covers all members of staff and volunteers in school.
- inform parents and carers about the schools' confidentiality obligations and how the school intends to meet them.
- inform staff and volunteers of their responsibilities with regards to parent/pupil/general confidentiality and personal information and how the school will enable these to be met.

2. Rationale and statement on the importance of confidentiality

We believe that:

- The safety, wellbeing and protection of our students is the paramount consideration in all decisions staff at this school make about confidentiality. The **appropriate** sharing of information between school staff is an essential element in ensuring our students' well-being and safety.
- It is an essential part of the ethos of our schools that trust is established to enable students, staff, and parents/carers to seek help both within and outside the schools and minimise the number of situations when personal information is shared to ensure students and staff are supported and safe.
- Students, parents/carers and staff need to know the boundaries of confidentiality in order to feel safe and comfortable in discussing personal issues and concerns, including sex and relationships.
- The school's attitude to confidentiality should be open and easily understood and everyone should be able to trust the boundaries of confidentiality operating within the schools.
- Staff must be aware that issues concerning personal information including sex and relationships and other 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 health, sex and relationship or other personal issue they want to discuss.

3. Definition of Confidentiality

"Confidentiality" can be generally defined as 'when personal information is given or received in confidence for a particular purpose, it may only be used for that purpose and may only be passed on to anyone else with the consent of the information provider.'

In practice, there are few situations where absolute confidentiality is offered in school, as strict adherence to this general principle may be detrimental to the pupil/employee or to another individual. In the case of child protection, the overriding principle is to secure the best interests of the child. Information/data that the school holds on that child, that is relevant to the protection of the child, must be shared with other agencies on a strictly controlled basis, by staff authorised to do so.

Our policy aims to strike a balance between ensuring the safety, well-being and protection of our students and staff, ensuring there is an ethos of trust where students and staff can ask for help when they need it and ensuring that when it is essential to share personal information our child protection policy and good practice is followed.

This means that in most cases what is on offer is limited confidentiality. 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 children's safety and well-being. Children should be informed when a confidence has to be broken for this reason and should be encouraged to do this for themselves whenever this is possible.

Different levels of confidentiality are appropriate for different circumstances.

1. In the classroom in the course of a lesson

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. It should be made clear to children that this is not usually the right place to disclose confidential, personal information.

The atmosphere and content of some lessons are possibly more likely than others to prompt a child to make a disclosure, for example in the teaching of sex and relationships. (See separate Sex and Relationships Policy).

2. One to one disclosures to members of staff (including volunteers).

It is essential all members of staff know the limits of the confidentiality they can offer to both children and parents and carers. Children will always be encouraged to discuss issues with their parents or carers, and vice versa, but the needs of the children remain paramount and school staff will not automatically share information about the student with his/her parents/carers unless it is considered to be in the child's best interests.

4. Principles of Confidentiality

The following principles should be adhered to in all cases where the appropriate use of child/person identifiable information is considered.

- All data is handled in a way that is consistent with the General Data Protection Act 2018. The rules relating to personal data under this Act are prescriptive, and staff should refer to the Trust's Data Protection Policy.
- All information relating to a specific pupil/adult must be protected from access by any unauthorised third party.
- Information contained in pupil or staff files may not be read by, or communicated by any means, to any unauthorised person.
- Any information found, discovered, overheard or otherwise coming into the possession of a member of staff or person working in the school may not be revealed to a third party, whether within the school or outside
- Unless authorised, no person may read the notes in a pupil or staff file or on the computerised record of a file nor may they disclose any such information contained therein
- Unless authorised, no person may pass information contained in a file or on the computerised record of the pupil or staff member to the pupil or member of staff themselves

- Information displayed on notice boards in staff areas or offices, relating to specific pupils, should be treated the same as information contained in the pupil file and must not be disclosed to a third party
- Any professional conversation held between staff, in the staffroom or elsewhere, relating to specific pupils must be treated in the same way as recorded information in the files or computer system. Any information inadvertently overheard must not be repeated to any third party
- Staff should refrain from stating a personal opinion on issues outside of their normal duties and requirements as set out in their job description. This would be considered to be a breach of confidentiality
- Any information acquired, learnt or coming to your attention relating to the business of the school, whether of an organisational, financial or personal nature, must be treated with the same confidentiality as pupil or staff specific information
- Any pupil information is treated as confidential and only disclosed to third parties having obtained parental permission or where there is a duty to pass on the information.

5. Framework for Meeting Confidentiality Requirements

Parents and employees have a right to expect that information about their child or themselves provided or discovered in the course of admission to the school/employment of individual, will be held in confidence. Without assurances about confidentiality, parents and employees may be reluctant to provide information and this could lead to unnecessary restrictions on what most people rightly perceive as the essential purpose of providing this information, this being the delivery of appropriate and effective services to themselves.

However, it must also be recognised that there are times when the schools may be required to share this information, and these are clearly set out in the Schools' Privacy Notices which are available via the websites.

School staff and volunteers should not promise confidentiality. Children should understand that they cannot expect that incidents will not be reported to their parents or carers. School staff are NOT obliged to break confidentiality except where child protection is or may be an issue, however, we believe it is important that staff are able to share their concerns about students with colleagues in a professional and supportive way, on a need to know basis. This would help to ensure staff receive the guidance and support they need and the students' safety and wellbeing is maintained.

All teachers and all staff at this school receive child protection training and are expected to follow the schools' child protection policy and procedures, and report any disclosures by children, parents or carers to the Designated Safeguarding Lead.

There are some situations regarding Child Protection and disclosure where a decision not to inform a parent is necessary. This decision is only made on guidance from Social Services or the Police service.

6. Links to other school policies:

- Sex and Relationship
- Child Protection
- Anti-bullying
- Behaviour
- Whistle-Blowing
- Looked After Children