

Salendine Nook Academy

Confidentiality Policy (Non-statutory)

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Introduction

Salendine Nook High School recognises its duty to work with other agencies in safeguarding children & protecting them from harm.

This school recognises that a clear confidentiality policy will support the school in ensuring that this will happen.

The staff seek to adopt an open and accepting attitude towards children and young people as part of their general responsibility for pastoral care.

Staff hope that parents and children will feel free to talk about any concerns or worries which may affect educational progress and that they will see the school as a safe place if there are any difficulties at home.

Salendine Nook High School recognises the following benefits of working to a confidentiality policy:

- It highlights the importance of pupils being able to talk to adults in the school to share their problems in a safe and supportive environment.
- It safeguards the well-being of those involved in the disclosure of confidential information.
- It builds trust between pupils and staff.
- It empowers each pupil to exercise control over the choices that will affect their life.
- It prevents the need to deal with each disclosure in isolation as a crisis.

AIM

To protect the child and staff at all times and to give all stakeholders, involved in the school, clear, unambiguous guidance as to their legal and professional roles. In this way, ensuring good practice throughout the school which is understood by pupils, parents/carers, Governors, volunteers and staff.

Rationale and statement on the importance of confidentiality

At Salendine Nook High School (Academy) we believe that:

- The safety, well being and protection of our pupils are 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 pupils wellbeing 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 seek help both within and outside the school and minimise the number of situations when personal information is shared to ensure pupils and staff are supported and safe, but there will be instances when information will have to be disclosed in order to discuss the situation with all relevant parties;
- 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, including relationships & sex;

- 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 school;
- Issues concerning personal information, including sex, 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 if a child is at risk;
- 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.

Definition of Confidentiality

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

Confidentiality is an understanding that any information shared with someone in trust can only be passed on to a third party with the agreement of the person disclosing it.

Disclosure of the content of a conversation could be discussed with professional colleagues on a need to know basis 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 childrens' safety and well-being. The pupil will be informed when a confidence has to be broken for this reason and will be encouraged to do this for themselves whenever this is possible.

GUIDELINES

- All private information about individual children and staff is private and is confidential. Relevant information should only be shared with those that have a need to know.
- All social services, medical and personal information about a child should be logged onto CPOMS which cannot be accessed by all staff.
- The school continues to actively promote a positive ethos and respect for the individual:
 - The Principal is responsible for Safeguarding.
 - There is clear guidance for the handling of child protection incidents. All staff have regular training on safeguarding issues.

- There is clear guidance for procedures if a member of staff is accused of abuse.
 - Staff are aware that effective sex and relationship education that brings an understanding of what is and is not acceptable in a relationship, can lead to disclosure of a safeguarding issue.
 - Staff are aware of the need to handle all issues about different types of families in a sensitive manner.
 - Any intolerance about gender, faith, race, culture or sexuality is unacceptable and should follow the schools discipline policy.
 - Information collected for one purpose should not be used for another.
- Parents/carers and children need to be aware that the school cannot guarantee total confidentiality and the school **has a duty of care to** report safeguarding issues.
 - 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. The school would share with parents any safeguarding disclosure before going on to inform the correct authorities unless by doing this, the child would be placed in greater danger.
 - All children 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 individual children should not be able to be identified.
 - Confidentiality is a whole school issue. Clear ground rules must be set for and classroom work; this reduces anxiety to pupils and staff and minimises unconsidered, unintended personal disclosures.
 - Health professionals have their own code of practice dealing with confidentiality. Staff should be aware of children with medical needs and the class information sheet should be accessible to staff who need that information 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 that 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, without parental permission. The school gives clear guidance to parents about the use of media during public school events
 - Information about children will be shared with parents but only about their child. Parents should not have access to any other child's books, marks and progress grades at any time especially at parents evening. 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 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 logs. In all other

notes, briefing sheets etc. a child should not be able to be identified. Addresses and telephone numbers of parents and children will not be passed on except in exceptional circumstances or to a receiving school.

- Governors need to be mindful that from time to time issues are discussed or brought to their attention about staff and children. All such papers should be marked as confidential and should be copied onto different coloured paper. These confidential papers should be destroyed. 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.
- Governors, staff and volunteers need to be mindful that if they spend time in the school, they may from time to time have access to information that is not general knowledge to parents and sometimes staff. It is essential that the things heard in a less formal manner are not discussed outside of the school as gossip of any kind is potentially damaging to all stakeholders in the school.

Levels of confidentiality

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 groundrules to ensure confidential disclosures are not made. It should be made clear to pupils that this is not the time or place to disclose confidential, personal information. (See setting ground-rules and working agreements).
When a health professional is contributing to a school health education programme in a classroom setting, s/he is working with the same boundaries of confidentiality as a teacher.

We adopt ground rules to ensure a safe environment for teaching in particular in PSHCE. This reduces anxiety to pupils and staff and minimises unconsidered, unintended personal disclosures.

At the beginning of each PSHCE lesson, pupils are reminded of these ground rules by the teacher or outside visitor. However, if students do disclose information then relevant safeguarding procedures should be followed.

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

It is essential 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 for the pupil or parent/carer and for the staff member within the school and from other agencies, where appropriate. All staff at this school encourage pupils to discuss difficult issues with their parents or carers, and vice versa. However, the needs of the pupil are paramount and school staff will not automatically share information about the pupil with his/her parents/carers unless it is considered to be in the child's best interests.

(Note: When concerns for a child or young person 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 practically possible. More serious concerns must be reported immediately to ensure that any intervention necessary to protect the child is accessed as early as possible. If there are child protection issues, these will be referred to the Social Care Response and Referral Team or to the police. Please see the School's Safeguarding Policy.

3. Disclosures to a counsellor, 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. They should follow the Fraser Guidelines regarding contraception (guidelines for doctors and other health professionals on giving medical advice to under 16s). School nurses are skilled in discussing issues and possible actions with young people and always have in mind the need to encourage pupils to discuss issues with their parents or carers. However, the needs of the pupil are paramount and the school nurse will not insist that a pupil's parents or carers are informed about any advice or treatment they give.

4. Contraceptive advice and pregnancy:

The DoH has issued guidance (July 2004) which clarifies and confirms that health professionals owe young people under 16 the same duty of care and confidentiality as older patients. It sets out principles of good practice in providing contraception and sexual health advice to under-16s. The duty of care and confidentiality applies to all under-16s. Whether a young person is competent to consent to treatment or is in serious danger is judged by the health professional on the circumstances of each individual case, not solely on the age of the patient. However, the younger the patient, the greater the concern that they may be being abused or exploited. The Guidance makes it clear that health professionals must make time to explore whether there may be coercion or abuse. Cases of grave concern would be referred through child protection procedures.

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 confidential. No member of this school's staff can or should give such a promise.

The safety, 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 Salendine Nook Academy we believe it is important 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 interests of the child including the need to both ensure trust to provide safeguards for our children and possible child protection issues.

All teachers at this school receive basic training in safeguarding as part of their induction to this school and are expected to follow the schools' safeguarding policy and procedures.

Visitors and non-teaching staff:

At Salendine Nook Academy, we expect all non-teaching staff, including voluntary staff, except those identified in the paragraph above, to report any disclosures by pupils or parents/carers, of a concerning personal nature to the designated safeguarding officer as soon as possible after the disclosure and in an appropriate setting, so others cannot overhear. This is to ensure the safety, protection and well being of all our pupils and staff. The designated child protection officer will decide what, if any, further action needs to be taken, both to ensure the pupil gets the help and support they need and that the member of staff also gets the support and supervision they need.

Parents/carers:

Salendine Nook Academy 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 Salendine Nook Academy, they

will be encouraged to also discuss the matter with their parent or carer themselves.

Complex cases:

Where there are areas of doubt about the sharing of information, Salendine Nook Academy will consult with the local area Safeguarding Board.

Links to other school policies and procedures:

This policy is intended to be used in conjunction with the school's

PSHE

Drugs

Sex and Relationship

Safeguarding/Bullying

Behaviour

GDPR

Dissemination and implementation:

This policy will be distributed to all teaching and non-teaching staff, including volunteers, at the school, where all staff will be informed of the content and practical applications of the policy. The issues will also be discussed in safeguarding training.

GDPR (General Data Protection Regulations)

Staff will be specifically informed of the link between this policy and data protection when handling any confidential matters.