



ENSTONE PRIMARY SCHOOL

Confidentiality Policy

DEFINITION

The overall meaning of a confidentiality relationship is openness and agreement about what will happen to information disclosed between two, or more, people. It may not have to take the form of total secrecy. In practice there are few situations where absolute confidentiality is offered. In most cases only limited confidentiality can be offered. The boundaries of confidentiality should be made clear at the beginning of the conversation.

AIMS

The aim of this policy is to ensure that every member of the school community understands how the school deals with confidential information and the varying levels of confidentiality which might be offered in different circumstances. The school is mindful that it is placed in a position of trust and that sharing information unnecessarily is an erosion of that trust.

OBJECTIVES

For everyone (staff, governors, pupils and parents) to understand the varying levels of confidentiality which might be offered in different circumstances.

By developing a proper understanding of confidentiality we will foster an ethos of trust within the school, where children feel able to confide in members of staff, as well as being encouraged to talk to parents and carers. We are committed to developing creative and positive ways for the child's voice to be heard, whilst recognising the responsibility to use, hold and safeguard information received.

LINKS

This Confidentiality Policy is linked to the school's policies:-

- Data Protection GDPR Policy
- Freedom of Information Policy,
- RSE/PSHE Policies
- Drug Education Policy
- RE Policy
- Equal Opportunities Policy
- Child Protection/Safeguarding and Anti-bullying Policies
- Dignity at Work Policy

- Whistle Blowing Policy
- Mobile Phone Policy
- Social Media Policy
- Safeguarding Advice to volunteers
- Visitor Code of Conduct

GUIDELINES

Confidentiality and Pupils

Staff are always available to talk to both children and parent/carers about issues that are causing concern – whatever they might be. The school encourages children to confide in parent/carers and may in some cases support the children to do this.

All children have the right to the same level of confidentiality irrespective of gender, race, religion, medical concerns or SEN.

We recognise that there are occasions when pupils are worried about something and feel 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. We should adhere to the following policy:

- We must be clear to pupils that we 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 safeguarding issue where the pupils, or others, are likely to be at risk of significant harm, we are legally required to inform the school's designated safeguarding lead (DSL) who may have to involve other agencies. (Please refer to the school's Safeguarding Policy for further advice on this aspect.)
- School staff can only offer confidentiality to pupils on issues that do not involve significant illegal activities e.g. drug trafficking, arson. 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 we feel that we have to break confidentiality with the pupil, we must inform the pupil and reassure them that their best interests will be maintained.

- In talking with pupils, we 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 aware of the specialist confidential services that maybe available in the school community e.g. school health nurse or the early intervention services.

Confidentiality is a whole school issue and staff are aware that classroom work, such as circle-time and other PSHE sessions dealing with sensitive issues such as sex, relationships and drugs, can lead to disclosure of a child protection issue. If a child did begin to talk about something personal and sensitive, teaching staff would protect them from sharing such information with the group, and later encourage the child to talk about their issue in private and advise and support them accordingly.

However, parents/carers and children need to be aware that the school cannot guarantee total confidentiality and the school has a duty to report child protection issues. The school would share with parents any child protection disclosure before going on to inform the correct authorities, except where this was not in the best interests in the safety of the child. The school has appointed a senior member of staff as Designated Teacher for child protection. There is clear guidance for the handling of child protection incidents and all staff have regular training on child protection issues. Please refer to our Safeguarding Children Policy for more detail on this.

All information about individual children is private and will only be shared with those staff that have a need to know. All social services, medical and personal information about a child, including Special Education Needs paperwork, will be held in a safe and secure place which cannot be accessed by individuals other than school staff. Professionals visiting the school, such as school nurses, counsellors or advisors for example, are bound by professional codes of conduct which uphold confidentiality, but in classroom situations will work within the school policy. More information on this is available in the school's Data Protection (GDPR) Policy.

Parents have a right of access to any records the school may hold on their child, but not to those of any other child they do not have parental responsibility for. Parents should not have access to any other child's books, marks and progress grades at any time.

However, parents should be aware that information about their child will be shared with the receiving school when they leave. Addresses and telephone numbers of parents and children will not be passed on except in exceptional circumstances or to a receiving school.

Confidentiality and Staff

All staff can expect that their personal situations and health will remain confidential unless it impinges on their terms of contract or endangers pupils or other members of staff.

Confidentiality and Governors

Governors need to be mindful that confidential issues, about staff and children and their families may be discussed or brought to their attention. Any sensitive correspondence should be clearly marked as 'confidential' and minuted separately.

Governors serving on committees where sensitive or contentious information is discussed should not share this information with the wider body of governors, particularly as, in the case of an appeal or complaint, a group of governors without any of the case would need to convene to prior knowledge of the case would need to convene to hear details of it and form an unbiased opinion.

Governors must observe complete confidentiality in dealing with issues concerning individual staff, pupils, and families and whenever they have been asked to do so by the governing body. They should not share information with their families, email should be through the school's secure email server only and care should be taken when making phone calls.

Any governor known to have committed a breach of confidentiality may be asked to stand down.

Although decisions reached at governors meetings are normally made public through the minutes, the discussions on which decisions are based should be regarded as confidential, and names of individuals should not be mentioned.

Governors should exercise the highest level of prudence when discussion of potentially contentious issues arise outside the governing body, being careful not to give opinions on behalf of the governing body.

Confidentiality and Families

We recognise that sometimes there may be family issues which might affect a pupil and which the 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 the information given to us, this will be discussed with the parent first unless a pupil is considered to be at immediate risk and/or there is an overriding child protection/safeguarding concern.

Confidentiality and Visitors

A 'Visitor' in this context is any person who works in school either in a paid or a voluntary capacity. In some instances, the visitor may become privy to personal information regarding pupils, parents and staff that is of a confidential nature. There is an agreement between the Governing Body and everyone who works in school to sign a declaration not to use any such information outside the school context and to share relevant information with other agencies in situations of child protection / safeguarding. (See Appendix A)

Lines of Responsibility and Referral

If members of the school community receive information where they believe a safeguarding issue is addressed, they should refer the case to the Headteacher, who is the designated safeguarding lead (DSL). In the absence of the Headteacher the information should be passed to a deputy DSL (member of the Senior Leadership Team) who will decide on the best course of action in the short term and inform the Headteacher at the earliest opportunity. The person must make it clear to the pupil that they will be passing on the information but that the information will remain confidential between him/her and the designated person. If confidentiality has to be broken, the child must be informed first.

Breaches in confidentiality

All employees of the school are expected to adhere to the terms of this policy. Breaches in confidentiality will be dealt with according to the school's disciplinary policy and in a proportional manner according to the nature of the incident.

DISSEMINATION

This policy will be widely publicised to all in the school community:

- Referred to in staff induction
- On the school website
- Available to interested parties in paper copy, upon request

Date Adopted: May 2024

Review Date: May 2026

Signature of Chair of Governors:

J. Mann

Signature of Headteacher:

APPENDIX A

CONFIDENTIALITY AGREEMENT FOR VISITORS OF ENSTONEPRIMARY SCHOOL

This is an agreement between the Governing Body and everyone who works in school either in a paid or voluntary capacity.

I understand that in the course of my work in school, I may be party to personal information regarding pupils, parents and staff that is of a confidential nature. I agree not to use any such information outside the school context. I agree to share relevant information with other agencies in situations of child protection / safeguarding.

Signature of member of staff/volunteer worker/governor

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Date:

Signed by:

On behalf of the Governing Body

Those working in school either paid or voluntarily will be asked to sign the agreement every September.