



# **Confidentiality Policy**

<b>Policy review Date</b>	May 2017
<b>Date of next Review</b>	May 2019
<b>Who reviewed this policy?</b>	Head Teacher & Governing Body
<b>Date approved by Governing body</b>	May 2017
<b>Headteacher</b>	Mrs Georgina Delmonte
<b>Chair of Governors</b>	Mr Brian Davy

This policy has been reviewed; to the best of our knowledge we do not feel it impacts negatively on any specific group or individual within our school community.

## Hilldene Primary School is a safe environment for all members of our community.

### Introduction

All schools are asked on occasions to keep information confidential. This can relate to a variety of issues including family matters, drug use, abuse or other dangerous or illegal activities. Confidentiality is a whole school issue, therefore it is important that all members of the school community follow the same clear and explicit policy.

### Related Legislation:

Human Rights Act 1998	Data Protection Act 1998	Freedom of Information Act 2000
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.	Applies to: personal data of living, identifiable individuals (not anonymised data); manual and electronic records. Schools need to be clear, when collecting personal data, of the purposes for which it will be used and should have policies to clarify this to staff, pupils and parents/carers.	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. Schools’ data or record keeping policy should also cover the requirements of this Act

### Aims

1. To maintain an ethos of trust within the school
2. To protect the child at all times
3. To reassure the children that their best interests will be maintained
4. To encourage pupils to talk to a trusted adult if they are having problems of any sort
5. To give clear guidance to all members of the school about confidentiality
6. To give staff confidence to deal with sensitive issues
7. To ensure that pupils and parents/carers know that school staff cannot offer unconditional confidentiality
8. To ensure that pupils and parents/carers are reassured that, if confidentiality has to be broken, they will be informed first and then supported appropriately
9. To ensure that if there are child protection issues then the correct procedure is followed (see Child Protection policy)

### General Process/ Procedures

1. All information about individual children is private and is only shared with those staff that have a need to know.
2. All information about individual stakeholders, however obtained (e.g. from personal records/through observation/through meetings/through situations that arise during class, playtime or outside school), is private and will only be shared

with those who have a need to know (i.e. those who need the information in their professional capacity).

3. Information which relates to any individual stakeholder will never be posted or shared online, through any means including all areas of social media (e.g. Facebook, Twitter). Staff, regular visitors and volunteers understand that this is a requirement during and after their time at our school.
4. Even when information appears to be widely known, it will not be assumed by those immediately involved that it is appropriate to discuss or share this information further.
5. The school prides itself on good communication with parents and carers and staff are always available to talk to both children and parents/carers about issues that are causing concern.
6. Staff are always available to talk to both children and parents/carers about issues that are causing concern.
7. Child protection procedures are understood by staff and training is undertaken every two years (see Child Protection policy).
8. Data generated by our school will be anonymised where necessary to ensure confidentiality. Information collected for one purpose will not be used for another.

### **Sharing Information**

1. It is important that class teachers and support staff are aware of some confidential matters in order to support individuals. These staff will respect the sensitivity of such cases and not divulge information to people unconnected professionally with the individual concerned.
2. When volunteers, such as parents and friends of the school are working in classes, they do not discuss educational matters including behaviour issues outside the classroom.
3. Information about children is shared with parents/carers but only about their child. Parents/carers do not have access to any other child's books, levels and progress at any time. However, parents/carers are made aware that information about their child will be shared with the receiving school when they change school.
4. All social services, medical and personal information will be held in a safe and secure place which cannot be accessed by individuals other than nominated school staff. It will be considered whether the staff concerned have access to all, or only some, of the information.
5. We ensure that parents/carers have a right of access to any records the school may hold on their child, within legislative requirements. The school will not give access to any information about a pupil (including their books, levels and progress grades) to any parent of another child in our school.
6. Parents/carers will be made aware that information about their child will be shared with the receiving school when they change school.
7. Photographs or video of children will not be used without parents/carers permission and our policy on the use of images of children will be adhered to at all times. (included in e-safety policy)
8. Only those identified on our school records as having parental responsibility will be contacted in relation to their child unless in an emergency. Should there be any concerns, this will be referred to the DSL before a parent/carer is contacted.
9. Governors will be mindful that from time to time issues are discussed, or will be brought to their attention, about staff and children. Governors will observe complete confidentiality when asked to do so by the Governing Body, especially in relation to matters concerning individual staff, pupils or parents/carers.

Although decisions reached at governors' meetings are normally made public through the minutes or otherwise, the discussions on which decisions are based will be regarded as confidential.

10. Staff performance management will be carried out privately. Targets for individuals will be in the Head teacher's office and electronic records will only be available to SLT.
11. Governors should exercise the highest degree of prudence when discussion of potentially contentious issues arises outside Governing Body meetings.
12. All requests for information (about our school or stakeholders) by an outside agency or the media will not be commented on by the person to whom the request was made, but will be referred immediately to the Headteacher.

### Keeping Information Safe

1. All social services, medical and personal information about a child is held in a safe and secure place which cannot be accessed by individuals other than school staff.
2. Personal information such as social services reports, speech therapy, medical reports, SEND reports, minutes of meetings etc. will be circulated, where necessary, in sealed envelopes and once read will be returned to the appropriate person for secure filing.
3. Correspondence to parents/carers relating to social services, medical and personal information will be handed directly to the parent/carer, not via book bags.
4. Confidentiality will be maintained when distributing class information.
5. Logs of administration of medication to children will be kept secure.

### In Lessons

1. Clear ground rules will be set for any classroom work such as circle time and other PHSE sessions dealing with sensitive issues such as sex and relationship and drugs.
2. Staff will not put pressure on pupils to disclose personal information and will discourage fellow pupils from applying any such pressure.

### Personal Disclosures

1. If disclosures from pupils take place at an inappropriate place or time the member of staff will try to talk to the pupil concerned privately before the end of the day.
2. Parents/carers and children will be made aware that our school cannot guarantee total confidentiality and we have a duty to report child protection issues. Any child protection disclosure will be shared with parents/carers before we inform the correct authorities unless we believe that this puts the child at greater risk.

### Information from children

- Children and young people of all ages have the same rights to confidentiality as adults.
- Even where the child may not have the capacity to consent or refuse disclosure (see below) they have the right to talk in confidence with any other person.
- If the child does not understand the consequences of confidentiality, it must be explained that some information may need to be shared with the people with parental responsibility for the child or with other people, especially if there are exceptional circumstances.
- If information is not shared with parents, a reason must be recorded

## **Exceptional circumstances in which information may be disclosed without consent**

Disclosure of personal information without consent may be justified where failure to do so may expose a child to serious harm. Every effort should be made to gain consent, but the health and safety of the child has primacy over the right to confidentiality.

Exceptional circumstances include:

- Child protection: staff should adhere to the school's child protection policy.
- Life threatening or dangerous situations, for example, where a young person shows signs of physical, emotional or sexual damage
- The prevention, detection or prosecution of crime
- People who are missing and individuals who may be in need of protection
- Prevention or reduction of risk to personal or public health
- There is a legal obligation to provide information when required to do so by a court or the police.

## **Equal Opportunities**

All children have a right to the same level of confidentiality irrespective of gender, race, religion, medical concerns and special educational needs. However, staff may need to discuss an individual case with a class or group. For instance it can support the inclusion of a child with Asperger's Syndrome or Autism, if their peers are made aware of the condition and so have some idea of what to expect.

Similarly a child with visual impairment can be supported if his/her friends know how to look out for them in the playground. In such cases permission will be sought from the child and his/ her parents/carers.