



Beverley St Nicholas Community Primary School

Confidentiality Policy

September 2021

Aim

1. To provide clear guidance to all members of the school community around confidentiality.
2. To encourage children to talk to a trusted adult if they are having problems.
3. To ensure all adults working in school deal confidently with sensitive issues.

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. We have 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, child protection procedures and good practice are 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 at the beginning of the conversation that there are limits to confidentiality. These limits relate to ensuring children's 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.

Rationale

Beverley St Nicholas Community Primary School seeks to put the child at the heart of the learning process and to provide a safe, secure and health promoting environment. Sharing information unnecessarily is an erosion of trust. The school is mindful that it is placed in a position of trust by all stakeholders and there is a general expectation that a professional approach will be used in all matters of confidentiality.

Objectives:

1. To provide consistent messages in school about handling information about children once it has been received.
2. To foster an ethos of trust within the school.
3. To ensure that staff, parents and pupils are aware of the school's confidentiality, policy and procedures.
4. To reassure pupils that their best interests will be maintained.
5. To encourage children to talk to their parents and carers.
6. To ensure that pupils and parents/carers know that school staff cannot offer unconditional confidentiality.

7. To ensure that there is equality of provision and access for all including rigorous monitoring of cultural, gender and special educational needs.
8. To ensure that if there are child protection issues then the correct procedure is followed.
9. To ensure that confidentiality is a whole school issue and that in lessons ground rules are set for the protection of all.
10. To understand that health professionals are bound by a different code of conduct.
11. To ensure that parents have a right of access to any records the school may hold on their child but not to those of any other child that they do not have parental responsibility for.

Guidelines

1. Information about children will be shared only with the child's parents. Parents should not have access to other children's books, marks and details of attainment and progress, especially at parents' evening. 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.
2. Photographs and videos of children should not be used without parental / carer consent especially in the press and on the internet and further details about this are clearly stated in the school's Acceptable Use Policy.

Record keeping

The school shall keep the following records:

- Pupil education records
- Pupil admission documents and personal information
- Medical records
- Personnel records
- Financial records
- Curriculum and policy documents
- Non-curricular policy documents

Responsibility

Governors

- Governors will not divulge details about individuals (be they staff, families or individual children) to any person outside of a governor meeting.
- Although decisions reached at governors' meetings may be made public through the minutes or otherwise, the discussion on which the decisions are based are confidential.

Adults in School

- Adherence to school policies, including e-safety, Acceptable Use Statement and social networking.
- Adults working in the school are asked to sign and return the Confidentiality and Security of Information statement attached at the end of this policy.
- Maintain professional standards of confidentiality about anything seen or heard in school.
- No child's personal details will be given out over the telephone until the validity of the request has been ascertained via a return call.

- Adults should be sensitive when discussing an individual child in the presence of another child. This includes behaviour.
- No adult should enter into a discussion about a child's behaviour or academic attainment with other children or their parents.

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. It should be made clear to pupils that this is not the time or place to disclose confidential, personal information.

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.

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 Child Protection Policy) 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. This includes support/advice 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 one of the Designated Safeguarding Leads as soon as 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 Child Protection 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 and follow the Fraser Guidelines (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.

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.

School staff are not obliged to break confidentiality except where child protection is or may be an issue, however, 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 the DSL (Designated Safeguarding Lead).

3. Visitors and non-teaching staff:

At Beverley St Nicholas Community 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 safety, 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 pupil gets the help and support they need and that the member of staff also gets the support and supervision they need. Visitors are given information about these procedures when they sign-in at reception.

4. Parents/carers:

Beverley St Nicholas Community 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 staff at school, they will be encouraged to also discuss the matter with their parent or carer themselves. The safety, well-being and protection of our pupils is the paramount consideration in all decisions staff at this school make about confidentiality.

This policy is intended to be used in conjunction with our:

PSHE
Sex and Relationship
Child Protection
Equality Behaviour
Whistle-Blowing
Looked After Children policies
Acceptable Use E-Safety