Tutshill C Of E Primary School

Woolaston Primary School

Forest Edge Federation

Governing Board

Confidentiality Policy

Signed: _____

Chair of the Governing Board

Date: April 2024

Review: April 2025

1. Aim
To protect the child and staff personal information at all times and to give all staff and volunteers involved clear, unambiguous guidance as to their legal and professional roles and to ensure good practice throughout both schools which is understood by pupils, parents/carers, volunteers and staff.
This policy should be read in conjunction with the school *Safeguarding Policy* which contains more information on sharing confidential information related to children at risk.

2. Objectives

- To provide consistent messages in school regarding handling information about children and staff once it has been received.
- To foster an ethos of trust within the school.
- To ensure that staff, parents and pupils are aware of the school's confidentiality policy.
- To reassure pupils that their best interests and confidentiality will be maintained.
- To ensure that pupils and parents/carers know that school staff cannot offer unconditional confidentiality due to legal duties to share information.
- To ensure that if there are child protection issues then the correct procedure is followed when sharing information with other agencies.
- To ensure that confidentiality is a whole school issue and that during lessons ground rules are set for the protection of all.
- To understand that health professionals are bound by a different code of confidentiality and may share information if it is beneficial to an individual's care.
- To ensure that parents have a right of access to any records school may hold on their child but not to any other child that they do not have parental responsibility for.
- To reassure staff that their records are safely stored and can only be accessed by specific staff for employment and other related purposes and cannot be shared without their permission.

3. Guidelines

- All information about individual children is private and should be stored safely and only be shared with those staff who have a need to know. (See Appx 1, Information sharing)
- All social services, medical and personal information about a child should be held in a safe and secure place which cannot be accessed by individuals other than school staff directly involved with the child.
- Parents/carers and children need to be aware that the school cannot guarantee total confidentiality and the school has a duty to report child safeguarding issues.
- Parents/carers and children should feel reassured that in exceptional circumstances it may be necessary to break confidentiality.
- 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. 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.
- All children have a right to the same level of confidentiality irrespective of gender, race, religion, medical concerns and special educational needs. Data is generated in schools by these categories, but individual children should not be identified.
- Confidentiality is a whole school issue. Clear ground rules must be set for any classroom work such as PSHE sessions dealing with sensitive issues such as death

etc. Strategies should be in place and all children are aware of them for dealing with sensitive information. Even when sensitive information appears to be widely known it should not be assumed by those immediately involved that it is appropriate to discuss or share this information further.

- Health professionals have their own code of confidentiality. Relevant staff should be aware of children with medical needs and be able to access this information as necessary
- Photographs of children should not be used without parents/carers permission especially in the press and on the internet.
- 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 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. All such information should be securely stored.
- Staff / Volunteers should also expect that their personal information is stored securely and only accessed for legitimate purposes with their permission.
- All external visitors are made aware of the Confidentiality Policy and work within its limits when interacting with pupils.
- Everybody working in school (staff, volunteer or contractor) will sign the confidentiality form and agree to comply with this policy (Appx 2).
- In extreme cases, staff in breach of this policy may face disciplinary action, if it is deemed that confidential information was passed on to a third party without reasonable cause.

4. Legal framework

This policy will have consideration for and be in compliance with the following legislation:

- The Education Act 2002 Section 175
- The Crime and Disorder Act 1998 Section 115
- Data Protection Act 2018
- The Human Rights Act 1998 Article 8
- The Common Law Duty of Confidentiality
- The Freedom of Information Act 2000
- The Prevent Duty (Department of Education)
- Child Safeguarding (Department of Education)
- Keeping Children Safe in Education 2022

5. Definitions

5.1 Confidentiality

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

5.2 Disclosure

Within this policy, a 'disclosure' is the sharing of any private information. It does not solely relate to child protection issues.

5.3 Limited confidentiality

Disclosure of the content of a conversation may be discussed with professional colleagues, but the confider would not be identified except in pre-determined circumstances.

6. Policy application

The policy deals with personal information (pupil and staff) that may be divulged during the course of a school day. It is not meant to deal with certain extreme situations where there is an urgent need for the disclosure of information to relevant bodies.
In extreme situations, such as medical emergencies, staff members should pass on information as necessary for the wellbeing of the child or staff member.

6.1 Personal disclosures

Fundamentally, all information about individual children and staff is private and should only be shared with staff members who have a legitimate need to know.

6.2 The limits of confidentiality

In practice, there are few situations where absolute confidentiality can be offered. The school aims to strike a balance between confidentiality and trust, and ensuring the safety, wellbeing and protection of our pupils.

6.3 Classroom confidentiality

Pupils should be aware that a member of staff is always available to talk to in private when needed.
If a visitor to the classroom is contributing to the lesson, such as an education programme or healthcare professional, they must work within the same boundaries of confidentiality as the teacher.
School records are kept in lockable filing cabinets in the classrooms.

6.4 One-to-one disclosures

Staff members should make it clear that they may have to pass on some information if they believe the child is at risk.
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 possible.
More serious concerns must be reported immediately to ensure that any intervention necessary to protect the child is accessed as early as possible. Such concerns will be recorded on My Concern. Please see the school Safeguarding Policy for further information regarding safeguarding.

6.5 Disclosures to a health professional

Health professionals, such as the school nurse, may give confidential information to pupils, provided they are competent to do so and follow the Fraser Guidelines (a set of guidelines on giving medical advice to under 16s).
The school nurse is skilled in discussing issues and possible actions with young people. On a need-to-know basis, the school nurse may share information with appropriate staff in school to enable improved support for pupil's health and wellbeing.

6.6 Breaking confidentiality

When confidentiality must be broken because a child may be at risk of harm, in accordance with our Safeguarding Policy, the school will ensure the following:

- Children are told when the information has been passed on.
- Children are kept informed about what will be done with the information.
- To alleviate their fears about everyone knowing, children are told exactly who their information has been passed on to.

At schools within the Federation, safeguarding concerns will be raised with the Executive Headteacher as Designated Safeguarding Lead, DSL, or the Deputy Designated Safeguarding Leads, DDSL. At both Tutshill CofE Primary School and Woolaston Primary School, the DDSLs are the Deputy Headteachers. Staff members paid or volunteers are contractually obliged to immediately inform the DSL or DDSL.

Staff members, are not permitted to pass on personal information about pupils indiscriminately and must always seek advice before providing information to the Police or Media. These should be assessed on a case-by-case basis with the support of the Local Authority Designated Officer (LADO).

6.7 Support for school staff

Staff members may find themselves dealing with highly personal issues and potentially upsetting disclosures. Staff members are encouraged to ask for help if they are unsure what to do in any situation. The school has access to several agencies that can provide advice and support. As a team, the school community can ensure the wellbeing, happiness and protection of our pupils.

All staff are regularly trained and updated on child protection/safeguarding issues, read the Confidentiality and Safeguarding Policy, annually.

Any stakeholders in school are not permitted to use social media as a way of discussing school events without authorisation from the Interim Executive Headteacher. School staff should be assured that their personal information is kept safe and secure. Please see E-safety and Acceptable Use Policy.

6.8 Informing parents and carers

The schools will work with parents and carers to create a partnership of trust. We endeavour to inform parents and carers of their child's progress at school and any concerns regarding progress and behaviour.

Where a child discusses a personal matter with staff, they will be encouraged to share the information with their parents, unless there is a child protection risk associated.

Where a member of staff believes a child protection risk is posed in regards to the family of the child, following a disclosure, the member of staff will talk to the Designated Safeguarding Lead immediately.

6.9 Onward referral

The Designated Safeguarding Lead is responsible for referring pupils to the Gloucestershire multi-agency safeguarding hub or Monmouthshire Social Care. Staff members may not make referrals unless they believe a child protection referral to the police or Social Care is necessary and the Designated Safeguarding Lead does not agree.

6.10 Records and processed data

Safeguarding records are held on My Concern. Personnel files are kept in a locked place. All computers are password protected. Passwords are not shared and are regularly up dated.

6.11 Dissemination of policy

All parents and carers are made aware of the school's Confidentiality Policy and informed that a copy can be viewed at the school office and on the school website.

Parents and carers are made aware that the school cannot offer complete confidentiality if they deem a child is at risk from harm.

7.0 Policy monitoring and review

This policy is monitored for effectiveness by the Interim Executive Headteacher and is reviewed annually or where necessary in light of changes to the law or statutory guidance. Where information is to be shared it will be done in accordance with the Local Authority guidelines. School Documents which are confidential will be watermarked accordingly.

8.0 Relationship to other policies

This policy is intended to be used in conjunction with the following school policies;

Anti-Bullying Policy
Attendance Policy
Behaviour and Discipline Policy
Safeguarding Policy
Complaints Policy
E-Safety Policy
RSE Policy
Safer Recruitment Policy
SEND Policy
Staff Code of Conduct Policy
Whistleblowing Policy
Equal Opportunities Policy
Data Protection Policy

9.0 Health and Safety

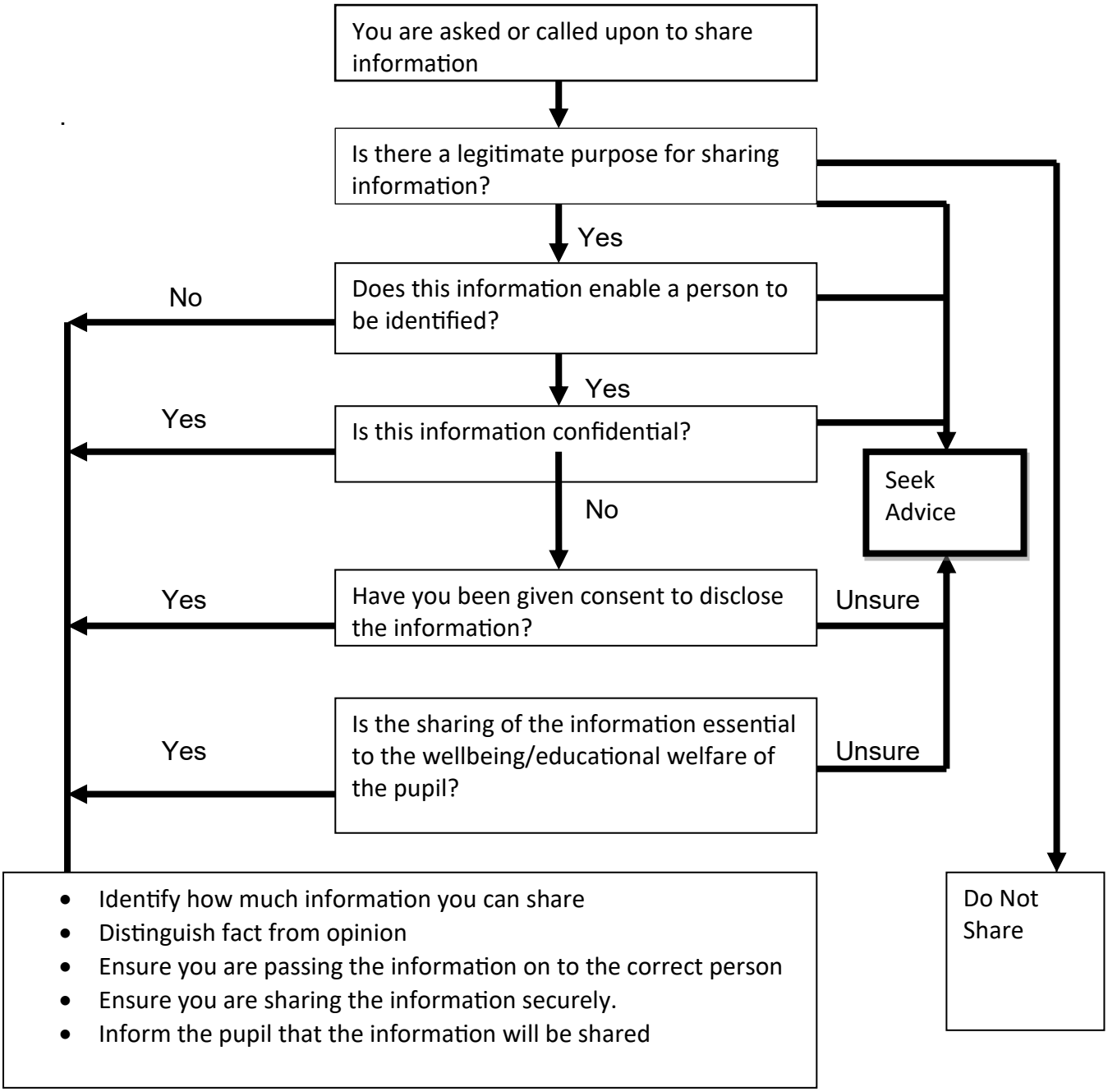
See Health and Safety Policy

10. Equality / Inclusion

The school recognises that it has to make special efforts to ensure that all groups prosper regardless of their sex or gender, age, sexual orientation, marital or parental status or other family circumstance, race, ethnic or national origin, colour, creed, disability, it includes those with special educational needs; those who have difficulties accessing the school or services; those who speak English as an additional language; those who have frequent moves and lack stability leading to time out of school (e.g. children in care);those who as children are caring for others; who come from homes with low income and/or inadequate home study space; those who experience bullying, harassment or social exclusion; those with low parental support or different parent expectations; those with emotional, mental and physical well-being needs; those who exhibit challenging behaviour and those who come from ethnic minority groups including travellers, refugees and asylum seekers.

Appendix 1 – Information sharing

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Notes

- If there are child protection concerns, follow the relevant procedures without delay.
- Always seek advice if you are unsure whether to share information.

Appendix 2

Tutshill C Of E Primary School

Woolaston Primary School

Forest Edge Federation

Governor Confidentiality Form

- I will only discuss school business with current Full and Associate Members of the Forest Edge Federation, Officers of the Local Authority and OFSTED who have a legitimate interest in the topic of discussion.

- I have read and I will abide by the Governing Board's Code of Conduct and Standing Orders and will abide by the confidentiality clauses contained within them.

Signed _____

Print Name _____

Date _____