

Westhead Lathom St James' CE Primary School



Confidentiality Policy

Last Reviewed Date: Summer 2023
Next Review Date: Summer 2026

Version	Date	Author/Editor	Revision Notes
1	November 2009	Alison Albion	Policy written based on Current School procedures & practice.
2	May 2015	Alison Albion	Policy updated to ensure current guidelines and practice are reflected.
3	Spring 2016	Alison Albion	Contacts updated
4	Summer 2020	Helen Clark	Contacts updated. Vision and values updated.
5	Summer 2023	Helen Clark	DSLs updated

Vision Statement: Our Vision for the Future

'A curriculum that is challenging, inspiring and engaging; in which all pupils flourish spiritually, creatively and academically to become confident young people.'

'With God's power working in us, God can do much, much more than anything we can ask or imagine.' Ephesians 3:20 New Century Version (NCV)

Aim of the Policy:

To protect children and young people at all times and to give the school workforce clear, unambiguous guidance as to their legal and professional roles in relation to sharing information and confidentiality, ensuring good practice throughout the school which is understood by the whole school community including families.

Rationale:

- * The policy seeks to implement the underlying principles of the Every Child Matters Agenda and to address the issues which may arise about sharing information and confidentiality.
- * The school is 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. Sharing information unnecessarily is an erosion of trust.
- * The UN Convention on the Rights of the Child supports the view that children and young people should be entitled to confidential support alongside safeguarding them from harm.
- * The Healthy Schools Programme recognises the importance of children and young people having access to confidential services, including health services to support their physical and emotional needs.
- * 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 information sharing and confidentiality.
- * Families, children, young people and other adults should all expect that information they identify as confidential will not be shared with any other party unless it is a safeguarding issue in which case the appropriate member of the school workforce will be consulted or permission has been given as part of the CAF process.
- * In practice there are few situations where absolute confidentiality can be offered in a school. The school aims to strike a balance between ensuring the safety, well-being and protection of children, young people and the school workforce, ensuring there is an ethos of trust where any member of the school community can ask for help when they need it and ensuring that when it is essential to share personal information, good practice is followed and, when appropriate, safeguarding procedures.

Objectives:

- * To foster an ethos of trust within the school and reassure children that their best interests will be maintained.
- * To provide consistent messages in school about handling and sharing information about children once it has been received.
- * To ensure that the school workforce, families, children are aware of the school's confidentiality policy and information sharing procedures and that families, children know that adults cannot offer unconditional confidentiality.
- * The school workforce will encourage children to talk to their parents and carers.
- * To ensure that parents have a right of access to any records the school may hold on their child but not to any other child that they do not have parental responsibility for.
- * To ensure that confidentiality is a whole school issue and that in lessons group agreements/ground rules are set for the protection of all.

- * To ensure that if there is a safeguarding issue then the correct procedure is followed.

CONSENT AND CONFIDENTIALITY:

The following Aide Memoire assists staff in making safer, consistent judgements around what can be complex and contentious scenarios. Staff will make a judgement around 5 key questions:

1. What is in this child's best interest?
2. Who needs to know?
3. What/How much do they need to know?
4. Why do they need to know?
5. When do they need to know?

For further information about consent and confidentiality refer to the LCC Confidentiality and Information Sharing Guidance, page 19.

The Limits of Confidentiality

Staff, pupils, parents/carers will be informed about the limits of confidentiality in this school. Some issues have to be shared with other people/agencies, eg child protection.

Pupils will be advised (wherever possible prior to a disclosure) what kinds of disclosure will require information to be shared, what will be done with the information and who else will have access to it.

Members of staff will be made aware of who (if anyone) to inform in the event of different types of disclosures of a personal nature.

This school recognises that confidential discussions need to take place in a confidential environment. Public places such as the staffroom, the classroom and the playground are not, in general confidential environments.

This school will provide opportunities for its pupils to access confidential support on school premises in the following ways, eg open door policy with staff, posters for support lines such as Childline.

Parents/carers and pupils have the right to view their own educational records upon written request. It is therefore not possible to guarantee the confidentiality of recorded information (see – Recording of information in Supporting Information).

Staff are required to pass on confidential information in the following circumstances:

- Child protection.
- Where a child's learning capacity may be affected.

Responsibilities to parents/carers

- Members of staff are not legally obliged to inform parents/carers in many instances when personal information has been disclosed.
- Where it is believed that the pupil may be at emotional or physical risk, or in breach of the law, staff will ensure that the pupil is aware of the risks they face.
- Staff will encourage the pupil to inform and seek support from their parents/carers.
- In most cases information provided by a pupil will only be passed to their parents/carers with the pupil's consent.
- When the school chooses to inform parents/carers it will only be done if it is in the best interests of the child.

Illegal activity

- Members of staff are not obliged to inform the police on most matters relating to illegal activity, eg illegal drugs activity, assaults.
- In the case of illegal activity, the school will discuss the possible consequences with the pupil and seek the course of action with the most positive outcomes for the pupil.

Staff Roles and Responsibilities

All staff (teaching and non-teaching staff) will be made aware of the confidentiality policy and their entitlement to training and support in its implementation.

All staff are under a contractual obligation to uphold the policy as with all other school policies. Failure to comply with this policy will result in disciplinary procedures being followed.

All members of staff are aware of the contents of the policy and know that it is available for detailed reading on the staff notice board.

Staff can seek advice and support for themselves when dealing with a disclosure whilst keeping the individual's identity anonymous. The school will maintain an up-to-date list of appropriate contacts for staff so that they can seek support. This will include the following members of staff at this school.

Senior Designated Person: Helen Clark
Deputy Senior Designated Person: Duncan Peetoom

and include the following external agencies and Local Authority support:

<p>Children's Integrated Services Integrated Assessment and Support Team: Library Buildings Southway Skelmersdale WN8 6NL Tel: 01695 651200 Fax: 01695 651201</p>	<p>Safeguarding: Matt Chipchase Safeguarding Team, County Hall, Preston PR1 8RJ 01772 532634 Matt.chipchase@lancashire.gov.uk</p>
<p>The Hub 0845 0530009 The Hub:</p>	<p>School Nurse Sandy Lane Health Centre</p>

<p>email csc.acscustomerservices@lancashire./gov.uk</p> <p>Emergency Duty Team (Out of Hours) (0845) 6021043</p>	<p>Sandy Lane Skelmersdale WN8 8LA Tel: 0300 247 0040 (press 1 for central team) Jane Taylor 07971 372048</p>
<p>PSHE Team LPDS Centre, Southport Road, Chorley PR7 1NG 01257 516100</p>	<p>Anti-Bullying Support & Guidance 01257 226900</p>

GUIDELINES:

- We expect that all staff, volunteers and personnel working in the school to adhere to professional standards with regard to confidentiality.
- Conversations of a confidential nature should only take place in a private and secure location. An awareness of who is around should be taken into consideration and the door should be closed. Staff should be aware that the office area is open plan and conversations of a confidential nature should not take place in this area. Child Protection issues should be discussed with the Headteacher, in the Headteacher's office. In our pastoral meetings discussions of a confidential nature take place, where only staff who are fully inducted can attend.
- Staff should be aware that social media is not private and secure (refer to E- Safety Policy).
- We provide clear information to families about information sharing and confidentiality within our school setting, through the school brochure and this policy is available on the school website. The school works closely with parents and encourages the sharing of information in the best interest of the child. 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. Information is generally shared with parents unless it is of a safeguarding nature, where the child's welfare overrides this. Parents are also assured that we only discuss matters relating to their child with them, and not with other parents.
- When dealing with third party disclosures, procedures are followed and facts are checked. Any relevant information is sought. If any member of staff is uncertain whether they have breached confidentiality, they should discuss it immediately with the Headteacher.

Safeguarding and Child Protection:

The school has a Child Protection Policy in place, which is available to all staff. Please refer to this Policy. If a member of staff is unsure whether a matter is Child Protection, the member of staff must have a conversation with the DSP. The DSP at Westhead Lathom St James' CE Primary School is the Headteacher, Helen Clark and Michelle Smyth or Kate Tither (DDSLs) in her absence.

Roles and Responsibilities:

All staff have clear roles and responsibilities. Staff and volunteers are inducted in safeguarding and confidentiality during the induction meeting with the Headteacher.

The school has a visitor's protocol, which covers confidentiality.

The school works closely with agencies for example: the school nurse, Social Services. We understand that these professionals will work to their own Code of Practice with regard to confidentiality.

Staff's personal information is kept confidential in a locked filing cabinet in the general office. It is recognised that staff may have information that they wish to be kept confidential between the staff member and the Headteacher.

Working with External Agencies

Anyone working with pupils from the school particularly on sensitive areas of the curriculum needs to be made aware of the school's confidentiality policy.

At the beginning of lessons dealing with potentially school staff and staff from external agencies will establish sensitive topics that it is inappropriate to disclose personal information during the lesson. Ground rules need to be agreed which ensure individuals do not pressure one another to answer questions about their own experiences.

Staff will outline the sources of support available to any pupil who may wish to discuss the topics and/or their feelings further on a one-to-one basis.

This school acknowledges and supports the differences between the role of any non-school staff as educators, and as providers of information and support to pupils. The boundaries between these roles will be clarified and agreed prior to involvement. Any distinctions in terms of confidentiality need to be made clear to pupils. This is communicated to children annually in collective worship. (See Appendix 1).

Recording Information

The school acknowledges that:

- Pupils and their parents/carers have a right to gain access to *processed* information upon written request.
- Agencies such as the Police and Children and Young People's Services may be able to get a court order to gain access to *processed* information, which the school deems confidential. This can also include the Local Authority's legal department and insurers, as well as other solicitors, eg in custody cases.

Any information recorded about a pupil will be written in a way that assumes it will be read by either the subject or their parents/carers.

In order to comply with the Lord Chancellor's Code of Practice on the Management of Records (issued under section 46 of the Freedom of Information Act 2000), any *processed* information will be stored in accordance with the Schools Record Management Systems.

Staff keep a variety of records within school:

- Pastoral records. Individual pupil's pastoral records are kept on a chronology. These may include information such as: medical, changes in behaviour, coming to school without a coat, or without breakfast. These records are kept in a locked filing cabinet in the Head

teacher's room.

- Child Protection and CAF. Individual pupil files are kept securely in the Head teacher's office. These files will include chronologies as well as for example: a CAF, Child in Need assessments.

The headteacher keep records of provision and intervention with identified pupils. These records are kept securely in the Headteacher's office.

- S.E.N. records. Teachers hold a copy of I.E.P.s in their class rooms. Pupils with significant special educational needs, who have undergone assessments have individual pupil files which include for example: assessment reports, annual reviews, medical reports. Each pupil has a file kept securely in the Headteacher's office.
- Personal Data information about pupils and families are kept on the Lancashire County Council SIMS data-base, this is covered by The Data Protection Act 1998.
- Pupil records. Each pupil has an individual pupil record which contains annual reports and assessment information. These are kept securely in a locked filing cabinet in the main office.

All the above records are shared with the receiving school when a child transfers.

CURRICULUM:

Confidentiality is a whole school issue. Clear ground rules must be set for any classroom work such as circle time and other PHSCE sessions dealing with sensitive issues. Strategies are in place and all children are aware of them for dealing with sensitive information which may fall outside the boundaries of child protection procedures.

PHOTOGRAPHS:

Photographs of children are not to be used without parents/carers permission in the press and internet. Only a child's first name is used alongside a photograph in the school newsletter, otherwise names are not used with photographs. In the case of pupils with medical needs/allergies, a photograph may be used on the medical information sheet with parent/carer consent. The school gives clear guidance to parents about the use of cameras and videos during public school events.

GOVERNORS:

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. 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 agree to a code of conduct which includes confidentiality. Governors should be very clear about the confidentiality policy and procedures and not discuss any confidential matters outside of Governing Body meetings.

Communicating the Policy

The policy will be communicated to all school staff, governors, parents/ carers, partner agencies and relevant visitors by placing it on the school website & advertising its location in newsletters (appendix 2)

The policy will be listed on the school's publication scheme (Freedom of Information Act 2000).

The flow chart for how to deal with confidential disclosures will be displayed on appropriate staff room notice board(s).

Other Relevant Policies:

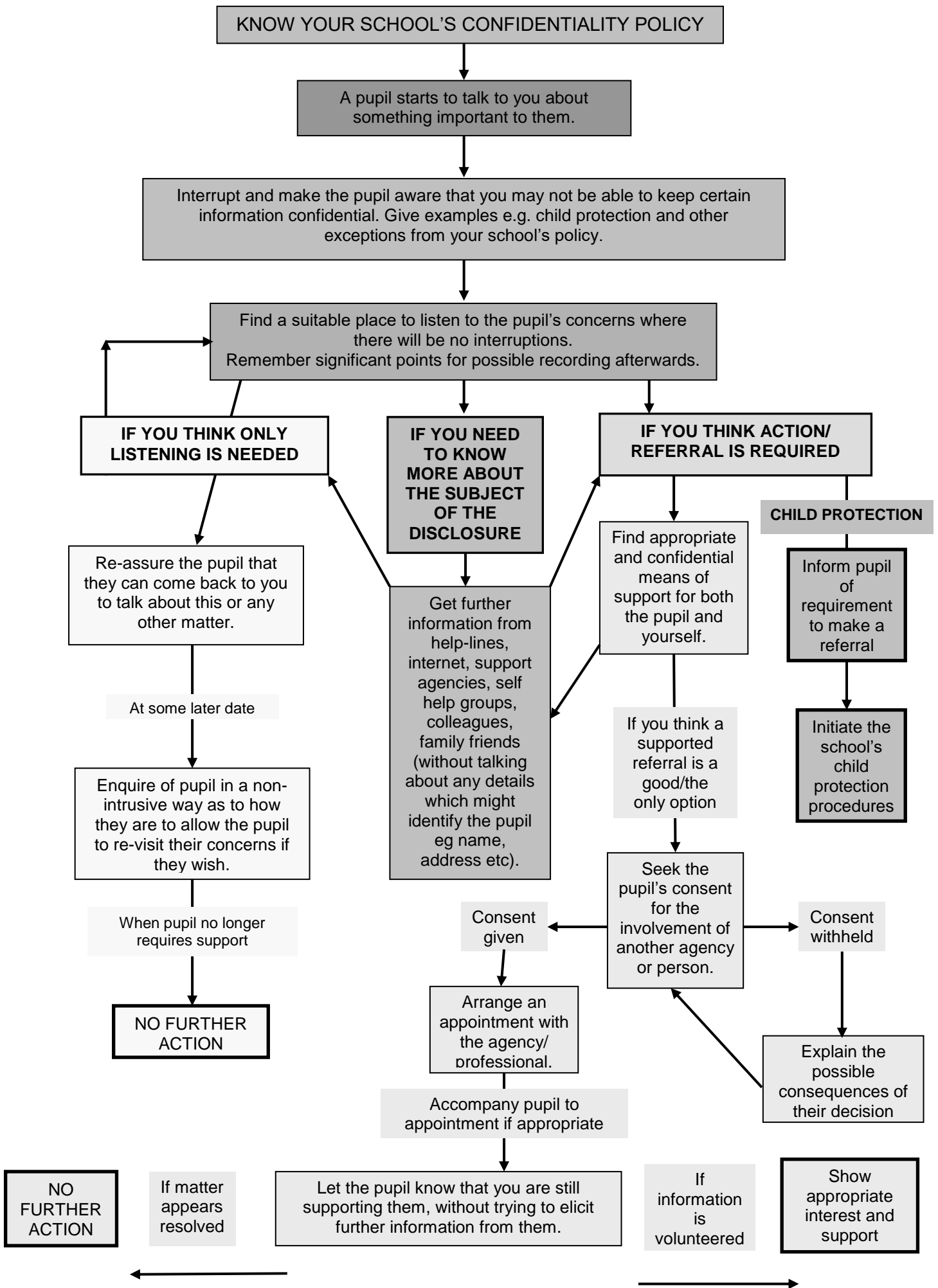
Safeguarding & Child Protection

PSHE

Online Safety

Complaints

Flowchart to Show the Process for Handling a Disclosure of Confidential Information



Appendix 1

Statement for pupils concerning confidentiality.

We understand that there may be times when there are things which may be worrying you but you feel that you can't talk about them with your family. Teachers and other members of school staff will do all we can to help you but you need to know the following:

- If you really want to talk to someone confidentially, (without anyone else knowing what you have said), you can speak to your class teacher or Miss Clark. We might also be able to help you find someone else outside of school if you think this is better for you.*
- The teachers and other members of staff in the school will often be able to help you with many of the things that may be worrying you but they cannot promise to keep everything to themselves. If you tell them about some things like selling drugs or stealing, they will have to speak to one of the teachers in the school who might then have to speak to your parents/carers or the police or social services.*
- If the staff member feels that they have to tell someone else what you have talked about, they will always tell you first and help you sort it out, perhaps helping you to speak to your parents/carers if you want this.*
- Very rarely there are things which you talk about that can be very dangerous for you or for other young people eg someone trying to harm you. Even the school nurse may have to tell someone else about what you have said, but they will tell you first and always help you to sort things out.*
- Please remember if the school nurse is speaking in lessons, they have to tell things to senior teachers in the school, just like the teachers. The only time they can be confidential is when they see you outside of lessons.*

Appendix 2

Statement for parents and carers concerning confidentiality and pupils.

There is increasing national concern for the emotional health and well-being of young people growing up in today's society. We recognise that parents and carers want to do all they can to support their child but even in the most supportive of relationships where there is excellent communication between parent/carer and child, there can be occasions when they are worried about something and feel that they cannot talk about it with you. This may result in enormous stress for the pupil which can impact on their education, health and behaviour, unfortunately self-harm and even suicide in the most extreme cases. Whilst we recognise that parents and carers will naturally be disappointed if their child does not choose to talk with you about what is troubling them, we feel there could be even more distress if the pupil is unable to cope with the issue themselves. On this basis we have agreed the following:

Our staff will be supportive to pupils who approach them with concerns but will make it clear that they cannot offer confidentiality to the pupil on anything that involves an illegal activity or anything that is a potential child protection issue where the pupil or others are likely to be at risk of significant harm. Senior staff in the school will liaise with parents/carers as appropriate in cases where a staff member has reported an issue over which they cannot offer confidentiality. Staff will support pupils to inform their parents/carers about issues that are troubling them as appropriate. We will make pupils aware of specialist confidential services on our school site and in the community where they can seek assistance if they wish.



Adobe Acrobat
Document

Confidentiality & Information Sharing Guidance