

OAKWOOD JUNIOR SCHOOL

Confidentiality Policy

Review Date	Summer 2013
Reviewed by	FGB
Review Cycle	Every 4 years
Next review due	Summer 2017

Signed :.....

Name :.....
on behalf of the Governing Body of Oakwood Junior School

Confidentiality Policy

1.0 Introduction and Context

- 1.1 This school recognises its legal duty under Section 175 Education Act 2002 to work with other agencies in safeguarding children and protecting them from “*significant harm*”.
- 1.2 The staff seek to adopt an open and accepting attitude towards children and young people as part of their general responsibility for pastoral care.
- 1.3 Staff will encourage parents and children to talk about any concerns or worries which may affect emotional health and well-being and educational progress and that they will see the school as a safe place if there are any difficulties at home.
- 1.4 This school recognises the following benefits of working to a confidentiality policy:
 - It highlights the importance of pupils being able to talk to adults in the school to share their problems in a safe and supportive environment.
 - It safeguards the well being of those involved in the disclosure of confidential information.
 - It builds trust between pupils and staff.
 - It empowers each pupil to exercise control over the choices that will affect their life.
 - It prevents the need to deal with each disclosure as a crisis in isolation.

Examples of where a confidentiality policy might be of use:

- A pupil knows someone who is bullying others at the school but is unsure about whether or not to tell.
- A pupil starts sharing something very personal in a classroom situation.
- A school uses staff or peers as a support system for pupils, e.g. listening, befriending.
- A pupil informs a lunchtime supervisor that their Dad is hitting their Mum.
- A pupil talks to a member of staff about their knowledge of a crime, e.g. shoplifting, assault.

2.0 A Definition of Confidentiality

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

Please note, in this policy, a ‘disclosure’ is the sharing of any private/personal information.

It is a general term and does not just relate to child protection issues.

3.0 The Limits of Confidentiality

- 3.1 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.

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- 3.2 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.
- 3.3 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.
- 3.4 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.
- 3.5 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).

Exceptions to Confidentiality

Likely exceptions requiring consideration by the school might include:

- where there is risk of serious harm or threat to life
- where a pupil needs urgent medical treatment
- where potential or actual serious crime is involved
- where safeguarding national security is involved e.g. terrorism

3.6 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.

3.9 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.

4.0 Staff Roles and Responsibilities

- 4.1 All staff (teaching and non-teaching staff) will be made aware of the confidentiality policy.
- 4.2 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.

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- 4.3 Staff can seek advice and support for themselves when dealing with a disclosure whilst keeping the individual's identity anonymous.
- 4.4 Staff should not disclose any safeguarding information, heard or seen within school, to anyone other than the Senior Leadership Team or the Learning Mentors.

5.0 Working with External Agencies

- 5.1 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.
- 5.2 At the beginning of lessons dealing with sensitive subjects 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
- 5.3 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.
- 5.4 Extreme caution should be taken as to who information is given to over the telephone. The call back system should be put into place when requests are made from outside agencies.

6.0 Recording Information

- 6.1 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.
- 6.2 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.
- 6.3 Any processed information will be stored in accordance with the relevant current legislation.

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Flowchart to Show the Process for Handling a Disclosure

