

Frittenden Church of England Primary School

Confidentiality Policy



Learning for Life in the Light of God.

Policy Control	
Responsible Person:	Nichola Costello
Responsible Governor Team:	Circle Model
Approved by Governors:	January 2018
Date due for review:	January 2021

Our school policies are written with the objective of continuously improving the school in our aim of realising the school's vision:

Our Vision

To engage every child in an exciting and meaningful educational experience.

Our School Values

Frittenden Church of England Primary School values

Compassion • Wisdom • Hope • Trust • Forgiveness • Thankfulness

and all our stakeholders are encouraged to *reflect* upon their learning and their actions.

Rationale and statement on the importance of confidentiality at Frittenden CE Primary School.

We believe that:

- The safety, wellbeing and protection of our pupils are the paramount consideration in all decisions staff at this school make about confidentiality. The appropriate sharing of information between school staff and volunteers in school is an essential element in ensuring our pupils well-being and safety.
- Whilst we recognise that social media is used by many parents, parents should only post photographs of their own children, and always seek permission from parents if other children are included in the photographs. Parents should be aware that not all parents or carers want photos of their children out in the public domain for a number of reasons, which could include safe guarding.
- It is an essential part of the ethos of our school that trust is established to enable pupils, staff, and parents/carers to seek help both within and outside the school and minimise the number of situations when personal information is shared to ensure that pupils and staff are supported and safe.
- Pupils, parents/carers and staff need to know the boundaries of confidentiality in order to feel safe and comfortable in discussing personal issues and concerns, including sex and relationships.
- The school's attitude to confidentiality is open and easily understood and everyone should be able to trust, respect and comply with the boundaries of confidentiality operating within the school.
- Issues concerning personal information including sex and relationships and other personal matters can arise at any time.
- Everyone in the school community needs to know that no one can offer absolute confidentiality.
- Everyone in the school community needs to know the limits of confidentiality that can be offered by individuals within the school community so they can make informed decisions about the most appropriate person to talk to about any health, sex and relationship or other personal issue they want to discuss.

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 in Frittenden CEP Primary School. We have tried 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 issues and good practice is 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 that there are limits to confidentiality, at the beginning of the conversation. These limits relate to ensuring childrens' 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.

Different levels of confidentiality for different circumstances

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.

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 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 and 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: That is, that 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 Child Protection Co-ordinator as soon as is practically 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.)

Disclosures to a counsellor, 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.

Contraceptive advice and pregnancy:

The DoH has issued guidance (July 2004) which clarifies and confirms that health professionals owe young people under 16 the same duty of care and confidentiality as older patients. It sets out principles of good practice in providing contraception and sexual health advice to under-16s. The duty of care and confidentiality applies to all under-16s. Whether a young person is competent to consent to treatment or is in serious danger is judged by the health professional on the circumstances of each individual case, not solely on the age of the patient. However, the younger the patient the greater the concern that they may be being abused or exploited. The Guidance makes it clear that health professionals must make time to explore whether there may be coercion or abuse. Cases of grave concern would be referred through child protection procedures. Refer to the Government Guidance, "Working Together to Safeguard Children," which is available in the school office.

***Note:** It is the view of Kent Police that they should be informed of cases where a person under the age of 16 discloses sexual activity, which includes sexual intercourse. This is not for the purpose of prosecution, unless that course of action was appropriate, but to enable the Police to share information concerning the parties concerned. The Police are of the view that this information sharing would enable a better assessment as to whether a child was being abused or exploited.*

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.

The safety, well being and protection of the child is the paramount consideration in all decisions staff at this school make about confidentiality.

Members of Frittenden CEP School are NOT obliged to break confidentiality except where child protection is or may be an issue, however, at Frittenden CEP School we believe it is important that 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 their line manager or DSL.

Teachers, counsellors and health professionals:

Professional judgement is required by a teacher, counsellor or health professional in considering whether he or she should indicate to a child that the child could make a disclosure in confidence and whether such a confidence could then be maintained having heard the information. In exercising their professional judgement the teacher, counsellor or health professional must consider the best interests of the child including the need to both ensure trust to provide safeguards for our children and possible child protection issues.

All teachers at this school receive basic training in child protection as part of their induction to this school and are expected to follow the school's child protection policy and procedures.

Visitors and non-teaching staff:

At Frittenden CEP 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 child protection co-ordinator 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 child protection co-ordinator 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.

1. PARENTS AND CARERS:

Frittenden CEP 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 with staff at Frittenden 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.

Complex cases:

Where there are areas of doubt about the sharing of information, seek a consultation with your local KCC Children's Safeguards Service Child Protection Co-ordinator.

Links to other school policies and procedures:

This policy is intended to be used in conjunction with the school's ethos, practice and procedures, including explicit and implicit learning and teaching and by example, with regards to the following:

PSHE
Child Protection policy
E-Safety policy
Safeguarding and Child Protection
Relationship and Sex Education policy
Anti-Bullying
Behaviour and Discipline
Looked After Children
Whistle Blowing policy

We adopt ground rules to ensure a safe environment for learning and teaching in particular in PSHE and Circle time. This reduces anxiety to pupils and staff and minimises unconsidered, unintended personal disclosures.

At the beginning of each PSHE lesson and Circle time, pupils are reminded of the ground rules by the teacher or outside visitor. The teacher establishes the ground rules together with the pupils at the beginning of each term of learning teaching PSHE and Circle time.

Frittenden CEP School recognises our duty to establish equality for all children, families and staff within our school community. Confidentiality is of primary importance for all stakeholders in our school, regardless of faith, ethnicity, gender, sexual orientation, ability or disability or age. Sensitivity and respect towards our differences is of paramount importance in our diverse community

Breaches of confidence and the procedures for doing so:

The school recognises that all matters relating to child protection are confidential. The designated safeguarding lead will decide what information needs to be shared, with whom, how when and

whether consent needs to be gained for this process. The DSL will disclose information about a pupil to other members of staff on a need to know basis only.

Where this does not apply and you are still concerned and unsure of whether the information should be passed on or other action taken you should speak to the Headteacher.

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 (e.g. murder, rape) is involved
- where safeguarding national security is involved e.g. terrorism

If Nichola Costello, Headteacher issues instructions that she should be kept informed, all staff must comply. There is always a good reason for this, which you may not know about.

The principles we follow at Frittenden CEP School are that in all cases we:

1. We ensure the time and place for confidential sharing are appropriate and safe.
 - We reassure the child that we understand their need to discuss something very important and that it warrants time, space and privacy.
 - We see the child normally (and always in cases of neglect, or abuse) before the end of the school day.
 - More serious concerns must be reported immediately to ensure that any intervention necessary to protect the child is accessed as early as possible.
2. Tell the child we cannot guarantee confidentiality if we think they may
 - Hurt themselves
 - Hurt someone else
 - Or they tell us that someone is hurting them or others
3. We do not interrogate the child or ask leading questions
4. We will not put children in the position of having to repeat distressing matters to several people
5. We will inform the pupil first before any confidential information is shared and provide the reasons for this
6. We will encourage the pupil, whenever possible, to confide in his/her own parents/carers, with support if appropriate

Support for staff

Staff may have support needs themselves in dealing with some of the personal issues of our pupils. At Frittenden CEP School we prefer staff to ask for help rather than possibly making a poor decision because they don't have all the facts or the necessary training. Also we do not want staff taking worries about pupils' home with them. There are many agencies we can refer pupils to who need additional support and we have procedures to ensure this happens.

We all work together as part of a team to support our pupils and asking for help is a way we ensure Frittenden CEP Primary School is a happy and safe learning environment.

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 Social Services Dept. 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 e.g. 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.

Onward referral:

DSLs are responsible for referring pupils to Social Services or for counselling through outside agencies. These are normally commissioned through the CAF (Common Assessment Framework) process.

Please do not make referrals yourself unless you believe a child protection referral to the police or SSD is necessary and the designated person does not agree.

Pupils can also obtain confidential help themselves, see the information available from your doctor or agencies like Childline.

Policy review:

This will be reviewed after each significant disclosure to ensure that the procedures work correctly. If there are no significant disclosures, this policy will be reviewed in line with school policies in 3 years time; unless deemed necessary by the Headteacher and Governors in the light of events and changes in the law.