



## Confidentiality Policy

| <u>Status of Policy</u> | <u>Date</u>  |
|-------------------------|--|
| Policy Reviewed         | Autumn 2019  |
| Agreed by Staff         | Autumn 2019  |
| Agreed by<br>Governors  | Autumn 2019  |
| Next Review             | Autumn 2021<br>(earlier if there is a change in legislation) |

## Confidentiality Policy

Member of Staff Responsible:        Headteacher

### Rationale and statement on the importance of confidentiality.

At East Herrington Primary Academy, we believe that:

The safety, well being and protection of our pupils are the paramount consideration in all decisions staff make about confidentiality. The appropriate sharing of information between staff is an essential element in ensuring our pupils' well being and safety.

It is an essential part of the ethos of EHPA 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 pupils, 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 Academy's attitude to confidentiality is open and easily understood and everyone should be able to trust the boundaries of confidentiality operating within the Academy.

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 needs to know the limits of confidentiality that can be offered by individuals within the Academy 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.

This policy forms part of the induction of all new staff, including voluntary staff and is reviewed every 3 years.

### 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 East Herrington Academy. 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 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.

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.  
It is essential all members of staff know the limits of the confidentiality they can offer to both pupils and parents and any required actions and sources of further support or help available both for the pupil or parent and for the staff member within the school and from other agencies, where appropriate. All staff at East Herrington Primary Academy encourage pupils to discuss difficult issues with their parents or carers, and vice versa. However, the needs of the pupil are paramount and 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.

N.B. It is 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 Person for Child Protection (Alison Hodgson) 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. (See the Safeguarding Policy)

3. Health professionals such as the school nurse 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 pupils' parents or carers are informed about any treatment or service they give.

#### The legal position for staff:

Staff (including non-teaching staff 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 and may not, in the absence of an explicit promise, assume that information conveyed outside that context is private. No member of 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 make about confidentiality.

Staff are not obliged to break confidentiality except where child protection is or may be an issue, however, at East Herrington Primary 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 to and the pupils' safety and well being is maintained. Staff should discuss such concerns with their line manager or the Designated Person for Child Protection.

### Teachers, Counsellor or 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 / professional development and are expected to follow the schools' child protection policy and procedures.

### Non-teaching staff and voluntary personnel:

At East Herrington Primary, we expect all non teaching staff, including voluntary staff, to report any disclosure by pupils or parents/carers of a concerning personal nature to the designated person for child protection 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.

### Parents/Carers

East Herrington Primary 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 they will be encouraged to also discuss the matter with their parents themselves. The safety, well being and protection of our pupils is paramount consideration in all decisions staff at this school make about confidentiality,

### Links to other school policies and procedures:

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

- PSHE
- Sex and Relationship
- Child Protection
- Anti bullying, Anti Cyber Bullying
- Behaviour
- Whistle blowing
- Looked After Children policies.

### Statement of ground rules to be used in lessons.

We adopt ground rules to ensure a safe environment for 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 half term of teaching PSHE and Circle time.

This is an example of the ground rules that may be used, however, these will be discussed with the pupils at the beginning of the lesson and may be amended / added to accordingly;

- We will respect each other and not laugh, tease or hurt others;

- We can pass or opt out of something if it makes us feel uncomfortable;
- If we find out things about other pupils during circle time that are personal or private we won't talk about them outside of the lesson;

#### When confidentiality should be broken and procedures for doing this:

See the Child Protection Policy

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 either your team leader or the headteacher.

If the 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 East Herrington Primary are that in all cases we:

- ensure that the time and place are appropriate, when they are not we reassure the child that we understand they need to discuss something very important and that it warrants time, space and privacy.
- see the child normally (and always in the case of neglect or abuse) before the end of the day. More serious concerns must be reported immediately to ensure that any intervention necessary to protect the child is accessed as early as possible;
- tell the child we cannot guarantee confidentiality if we think they will:
  - hurt themselves
  - hurt someone else
  - or they tell us someone is hurting them or others
- not interrogate the child or ask leading questions;
- won't put children in the position of having to repeat distressing matters to several people;
- inform the pupil first before any confidential information is shared, with the reasons for this;
- encourage the pupil, if appropriate, to confide in his/her own parents/carers.

#### Support for Staff

Staff may have support needs themselves in dealing with some of the personal issues of our pupils. At East Herrington Primary 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, or taking worries about pupils home with them. There are a number of agencies that we can refer pupils to who need additional support. Staff all work together as part of a team to support pupils and staff asking for help is a way we can ensure that East Herrington Primary is a happy and safe learning environment.

East Herrington Primary Academy's teaching staff should discuss any concerns with the Headteacher, Deputy Headteacher or Early Years co-ordinator, Teaching Assistants should discuss any concerns with the relevant member of the teaching staff. Any unresolved issues should be discussed with the Headteacher.

#### Onward Referral:

The SENCo or Early Years Co-ordinator are responsible for referring pupils to outside agencies. The Designated Person for Child Protection (Headteacher), or Deputy Designated Person for Child Protection (Deputy Headteacher), are responsible for referrals relating to any child protection issues. Staff should not make a referral themselves unless they believe a child protection referral to the police or social services department is necessary and the designated person does not agree. All staff have access to appropriate telephone contact numbers.

#### Dissemination and Implementation:

This policy has been distributed to all teaching and non-teaching staff, including volunteers. All new staff receive a copy of the policy, together with basic training on the school's Child Protection Policy and procedures from the Designated Child Protection Co-Ordinator.

A summary version will be provided for parent helpers.

Review:

This policy is reviewed every 3 years or whenever deemed necessary by the Headteacher and Governors in the light of events and changes in the law.