

Confidentiality Policy



Agreed by Governors	Spring 2019
Date for Review	Spring 2022



CONFIDENTIALITY POLICY

Introduction

The storing and processing of personal information is governed by the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR). Under this legislation, the staff and Governors at Westfield Infant School are conscious that a clear, explicit and well publicised Confidentiality Policy ensures good practice throughout the school which staff (including external agency staff) parents/carers and pupils can easily understand. The policy confirms that all members of the school community are clear about the levels of confidentiality and discretion that they can offer to other members of the community and expect themselves.

Aim

To protect the pupils at all times and to give all school staff involved clear, unambiguous guidance as to their legal and professional roles and to ensure good practice throughout the school which is understood by pupils, parents/carers, staff and Governors.

The school needs to be clear about the boundaries of their legal and professional roles and responsibilities e.g. Safeguarding procedures. Different professionals can offer varying levels of confidentiality in different circumstances which can confuse staff and pupils. Sometimes parent/carers and families may wish to disclose information confidentially to the school. Therefore the school needs to be clear about their position.

Rationale

Westfield Infant School seeks to put the pupils at the heart of the learning process and to provide a safe and secure learning environment. It is committed to developing creative and positive ways for the pupil'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 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 confidentiality.

The school will ensure that the Policy is shared with all staff, Governors, work experience students and Initial Teacher Trainees.

Objectives

- To provide consistent messages in school, about handling information concerning pupils, once it has been received.
- To foster an ethos of trust within the school.
- To ensure that staff, parents/carers, Governors and pupils are aware of the school's Confidentiality Policy and procedures.
- To reassure pupils that their best interests will be maintained.
- To encourage pupils to talk to their parents/carers
- To ensure that pupils and parents/carers know that school staff cannot offer unconditional confidentiality.
- To ensure that there is equality of provision and access for all including rigorous monitoring of cultural, gender and special educational needs.
- To ensure that if there is a safeguarding issue the correct procedure is followed.
- To ensure that confidentiality is a whole school issue and that in lessons ground rules are set for the protection of all.
- To understand that health professionals are bound by a different code of conduct.
- To ensure that parents/carers have a right of access to any records the school may hold on their own child except those relating to safeguarding issues.

Guidelines

All information about individual pupils is private and should only be shared with staff that have a need to know.

All social services, medical and personal information about a pupil should be held in a safe and secure place which cannot be accessed by individuals other than designated school staff.

The school continues to actively promote a positive ethos and respect for the individual.

- The Headteacher is the designated safeguarding lead and all staff receive regular Safeguarding training.
- There is clear guidance for the handling of Safeguarding incidents
- Staff are aware of the need to handle all issues about different types of families (e.g. same sex parents/carers) in a sensitive manner.
- Any intolerance about gender, faith, race, culture or sexuality is unacceptable and should follow the school's Behaviour and Discipline policy.
- Information collected for one purpose should not be used for another.

There is clear guidance (See Whistleblowing Policy) for procedures if a member of staff is accused of abuse.

Parents/carers and pupils need to be aware that the school cannot guarantee total confidentiality and the school has a duty to report Safeguarding issues.

We recognise that there are occasions when pupils are worried about something and feel that they cannot talk about it to their parents/carers. This can result in stress for the individual which impacts on their education and health. Some pupils may feel that they can turn to teachers and other staff members and we want to be as helpful as we can whilst recognising that there may be some potential difficulties in being supportive.

We also recognise that sometimes there may be family issues which might affect a pupil and which the family will only disclose to us if they can be sure the information will be treated confidentially. We will respect the wishes of the family and where it is felt necessary to share the information given to us, this will be discussed with the parents/carers first unless a pupil is considered to be at immediate risk and/or there is an overriding safeguarding concern.

The school prides itself on good communication with parents/carers and staff are always available to talk to both pupils and parents/carers about issues that are causing concern. The school encourages pupils to talk to parents/carers about issues causing them concern and may in some cases support the pupil to talk to their parents/carers.

Where appropriate Safeguarding disclosures are shared with parents/carers as well as the correct authorities.

Parents/carers and pupils should feel reassured that only in exceptional circumstances confidentiality will be broken.

All pupils have a right to the same level of confidentiality irrespective of gender, race, religion, medical concerns and special educational needs. A lot of data is generated in school by these categories but individual pupils should not be able to be identified.

The school has appointed a senior member of staff as Safeguarding Lead – the Headteacher. Any media or legal enquires should be passed to the Safeguarding Lead. Staff should seek advice from the Safeguarding Lead if they are in any doubt about sharing information they hold or which has been requested of them.

Safeguarding procedures are understood by staff and training from an external body is undertaken every three years for all staff and is also offered to Governors. In addition annual Safeguarding training will take place in-house for all staff.

Confidentiality is a whole school issue. Clear ground rules must be set for any classroom work such as Circle Time and other PHSE sessions dealing with sensitive issues such as sex and relationships and drugs. Strategies are in place and all pupils are aware of them for dealing with sensitive information which may fall outside the boundaries of safeguarding procedures. School needs to be proactive so pupils feel supported but information is not unnecessarily revealed in a public arena. 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 practice dealing with confidentiality. Staff should be aware of pupils with medical needs and the class information sheet should be accessible to staff who need that information but not on general view to other parents/carers and pupils.

Photographs of pupils should not be used without parents'/carers' permission especially in the press and internet. This is often a cultural or social issue of which the school needs to be aware. At no time should the child's name be used with a photograph so that they can be identified. The school gives clear guidance to parents/carers about the use of cameras and videos during public school events. Parent/carers are asked to sign a school agreement when their child starts at this school.

On the advice of the school nurse, photographs of pupils who have complex and high risk medical needs and allergies are displayed in *the* staffroom, medical room, the office, the kitchen and classrooms. However, before they are displayed parents/carers are informed and given the option of this. Through this system all staff are aware of complex medical needs.

Information about pupils will be shared with parents/carers but only about their child. Parents/Carers should not have access to any other child's books, marks and progress grades at any time especially during pupil progress events. However parents/carers should be aware that information about their child will be shared with the receiving school when they change school. All personal information about pupils including social services records is regarded as confidential and stored securely. Where personal information is recorded using modern technologies, e.g. CPOMS, systems and devices are kept securely. CPOMS is used to record safeguarding and other concerns, e.g. behaviour, about pupils. It is only accessible to designated members of staff and is password-protected.

Information regarding health reports such as speech therapy, medical reports, SEND reports, SEND minutes of meetings and social services minutes of meetings and reports are forwarded to the appropriate professionals in sealed envelopes and securely filed.

Records of administration of medication to pupils are kept secure and each child has their own individual log.

In all other notes, briefing sheets etc. a child should not be able to be identified. Addresses and telephone numbers of parents/carers and pupils are not passed on except in exceptional circumstances e.g. to a receiving school.

All staff (whether teaching or support staff) are expected to adhere to the principle that school matters remain confidential out of and beyond school. Staff should avoid discussing school matters with anyone not directly involved especially where that issue relates to individual pupils, parents/carers, Governors or staff or broader issues that have not yet become public knowledge. Governors are mindful that from time to time issues are discussed or brought to their attention about staff and pupils. All such papers should be marked as confidential and should be returned to the Clerk after the meeting to be destroyed.

Governors observe complete confidentiality when asked to do so by the Governing Board, especially in relation to matters concerning individual staff, pupils or parents/carers. 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 exercise the highest degree of prudence when discussion of potentially contentious issues arise outside the Governing Board.

Staff and Governors

All staff and Governors can normally expect that their personal situations and health will remain confidential unless:

- It impinges on their terms of contract or
- It endangers pupils or other members of staff or
- There is a legal obligation to disclose such information or
- It is necessary for legal proceedings or
- Despite the duty of confidence, the staff members' interest or the wider public interest justifies disclosure.

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.

Monitoring and Evaluation

- The policy will be reviewed as part of the schools monitoring cycle.
- The PSHEE scheme of work, Sex and Relationship policy and Drug Policy will enable identified opportunities to deliver aspects of this policy in specified year groups.
- The Headteacher and Governors have a responsibility for monitoring this policy.

This policy will be widely publicised to all in the school community

- through the Parents/Carers Handbook
- through assemblies and the school council
- with job details to applicants
- in the Staff Handbook.
- In the Induction Handbook.

Conclusion

Westfield Infant School has a duty of care and responsibility towards pupils, parents/carers and staff. It also needs to work with a range of outside agencies and share information on a professional basis. The care and safety of the individual is the key issue behind this document.

Links to Other Policies

- Communication Policy
- Data Protection Policy
- Data Retention Policy
- Financial Regulations.

Review

This Policy will be reviewed Spring 2022 unless there are changes in legislation.

Adopted by the Governing Board and Signed by
Chair of Governors

Date