

# Confidentiality Policy

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## **Statement of Intent**

Our Lady of Fatima Catholic Primary School understands that the safety, wellbeing and protection of pupils are of paramount importance. With this in mind, all pupils must be able to expect certain levels of trust when sharing personal information with school staff.

Pupils need to know that they can seek help from the school in a safe and confidential manner.

This policy guides school staff and visitors on the policy and procedures surrounding confidentiality.

Staff members adopt a supportive and accepting attitude towards pupils as part of their general responsibility for pastoral care. It is our hope that pupils and parents/carers feel free to discuss any concerns and worries they have, that may affect educational progress with members of the school team.

The Confidentiality Policy aims to:

- Promote a supportive and accepting ethos within the school.
- Safeguard the wellbeing of pupils.
- Build trust between pupils and staff.
- Empower pupils to exercise control over their situation and voice their concerns.
- Prevent the school dealing with each disclosure in isolation.
- Safeguard the wellbeing of staff.

## **1. Legal Framework**

1.1. This policy has due regard to legislation, including, but not limited to, the following:

- The Education Act 2011
- The Data Protection Act 2018
- The Human Rights Act 1998
- The Freedom of Information Act 2000

1.2. This policy will be implemented in conjunction with the following school policies:

- OLOF Social Media Guidelines
- Data Protection Policy
- Child Protection and Safeguarding Policy
- Anti-Bullying Policy
- Whistleblowing Policy

## **2. Definitions**

2.1. For the purpose of this policy, 'confidentiality' is an understanding that any information shared with someone in trust will only be passed on to a third party with the prior agreement of the person disclosing it.

2.2. For the purpose of this policy, 'disclosure' is the sharing of any private information, but which is not solely in relation to child protection issues.

2.3. Disclosure of the contents of a conversation may be discussed with professional colleagues, but the confider is not identified except in pre-determined circumstances.

2.4. The Designated Senior Lead (DSL) is a designated staff member responsible for ensuring the school's Child Protection and Safeguarding Policy is implemented by the entire school community, which ensures the wellbeing and protection of pupils.

2.5. At Our Lady of Fatima Catholic Primary School, the Principal is the Lead Designated Senior Lead (DSL). The Vice Principal and Inclusion Leader are also Deputy Designated Senior People.

## **3. Policy application**

3.1. This policy deals with personal information that may be divulged during the course of a school day. It is not meant to deal with certain extreme situations where there is an urgent need for the disclosure of information to relevant bodies.

3.2. In extreme situations, such as medical emergencies, staff members will pass on information as necessary for the wellbeing of the pupil.

- 3.3. All information about an individual pupil is private and will only be shared with staff members who have a legitimate need to know.
- 3.4. Any information about an individual pupil is private and will not be shared on any form of social media (refer to social media guidelines).
- 3.5. All data is processed and held in line with the school's Data Protection Policy.
- 3.6. The Principal Designated Senior Lead (DSL) is responsible for referring the pupil's confidential information to the multi-agency support services.
- 3.7. Staff members may not pass on confidential information unless they believe a child protection referral to the police or social services is necessary and the Designated Senior Lead (DSL) does not agree.

#### **4. Limits of confidentiality**

- 4.1. In practice, there are few situations where absolute confidentiality can be offered. The school aims to strike a balance between confidentiality and trust, and ensuring the safety, wellbeing and protection of its pupils.
- 4.2. In almost all cases of disclosure, limited confidentiality is on offer.
- 4.3. The professional judgement of a teacher, counsellor or health professional is vital when considering whether to inform a pupil that a disclosure may be made in confidence, and whether such confidence could remain having heard the information.

#### **5. Classroom confidentiality**

- 5.1. It is made clear to pupils that the classroom is not a place to disclose confidential, personal information.
- 5.2. Pupils are made aware that a staff member is always available to talk to them in private when needed.
- 5.3. If a visitor to the classroom is contributing to the lesson, they will work within the same boundaries of confidentiality as the teacher.

#### **6. One-to-one disclosures**

- 6.1. Staff members will make it clear to pupils that they may have to pass on some information if they believe the pupil is at risk.
- 6.2. When concerns for a pupil come to the attention of staff, e.g. through observation of behaviour, injuries or disclosure (however insignificant these might appear), the member of staff always discusses the issue with the Designated Senior Lead (DSL) as soon as possible.

6.3. In accordance with the school's Child Protection and Safeguarding Policy, more serious concerns, such as those involving potential abuse, are immediately reported to ensure that any intervention necessary to protect the pupil is accessed as early as possible.

## **7. Disclosures to Health Professionals**

7.1. Health professionals, such as the school nurse, may give confidential information to pupils, provided the information is in regards to the pupil's wellbeing, and they are competent to do so and follow the correct procedures.

7.2. The school nurse is skilled in discussing issues and possible actions with young people. On a need-to-know basis, the school nurse may share information with appropriate staff in to enable improved support for pupils.

## **8. Breaking confidentiality**

8.1. When confidentiality must be broken because a pupil may be at risk of harm, in accordance with our Child Protection and Safeguarding Policy, the school will ensure the following:

- Pupils are told when the information has been passed on
- Pupils are kept informed about what will be done with the information
- To alleviate their fears about everyone knowing, pupils are told exactly who their information has been passed on to

8.2. The Principal or another Designated Senior Lead (DSL) is to be informed of any child protection concerns.

8.3. Staff members are contractually obliged to immediately inform the Principal or any other Designated Senior Lead (DSL).

8.4. Staff members are not obliged to inform the police on most matters relating to illegal activity, such as illegal drugs or assaults; instead, these are assessed on a case-by-case basis with the support of the Designated Senior Lead (DSL).

8.5. Staff members are not permitted to pass on personal information about pupils indiscriminately.

## **9. Guidance for Teaching Staff**

9.1. The safety and protection of the pupil is the paramount consideration in all confidentiality decisions.

9.2. Staff members are not obliged to break confidentiality unless there is a child protection concern.

9.3. Staff members are encouraged to share their concerns about pupils in a professional and supportive way.

9.4. In extreme cases, staff in breach of this policy may face disciplinary action, if it is deemed that confidential information was passed on to a third party without reasonable cause.

9.5. The following principles are adhered to when supporting pupils:

- Personal matters are discussed in an appropriate time and place
- Pupils with concerns are spoken to in confidence as soon as possible
- Where there are child protection concerns, the pupil is always spoken to in confidence before the end of the school day
- Pupils are told, prior to disclosures, that a staff member cannot guarantee confidentiality if they think a pupil is being hurt by others, hurt themselves, or hurt someone else
- Pupils are not interrogated or asked leading questions
- Pupils are not placed in the position of having to repeat the disclosure to several people
- Pupils will be informed before any information is shared
- Where appropriate, pupils are told to confide in their parents/carers

9.6. Staff members may find themselves dealing with highly personal issues and potentially upsetting disclosures. With this mind, staff members are encouraged to seek support from the Designated Senior Lead (DSL) if they are unsure about how to respond to a situation.

9.7. The school has access to several external agencies that specialise in providing advice and support.

## **10. External Visitors**

10.1. All external visitors will be made aware that they must not share information about staff and pupils and events that occur in school. This includes future school plans and Information accessed by 'privilege' e.g. notices on staff notice board.

10.2. External visitors are made aware of the Confidentiality Policy and work within its limits when interacting with pupils. Non-members of staff, for example, students and voluntary helpers, will be asked to follow the principles of the confidentiality policy and sign a confidentiality agreement.

10.3. External visitors should be given a copy of the Social Media Guidelines and reminded that they must not post any information about staff and pupils online.

10.4. Healthcare professionals work within their codes of confidentiality when delivering their services within the school.

## **11. Informing Parents/Carers**

- 11.1. The school works with parents/carers to create a partnership of trust. It endeavours to inform parents/carers of their child's progress and behaviour.
- 11.2. When a pupil discusses a personal matter with a staff member, they are encouraged to share the information with their parents/carers, unless there is an identifiable child protection risk associated.
- 11.3. Where a staff member believes a child protection risk is posed in regards to the family of the pupil, following a disclosure, the staff member will immediately contact the Designated Senior Lead (DSL).

## **12. Dissemination**

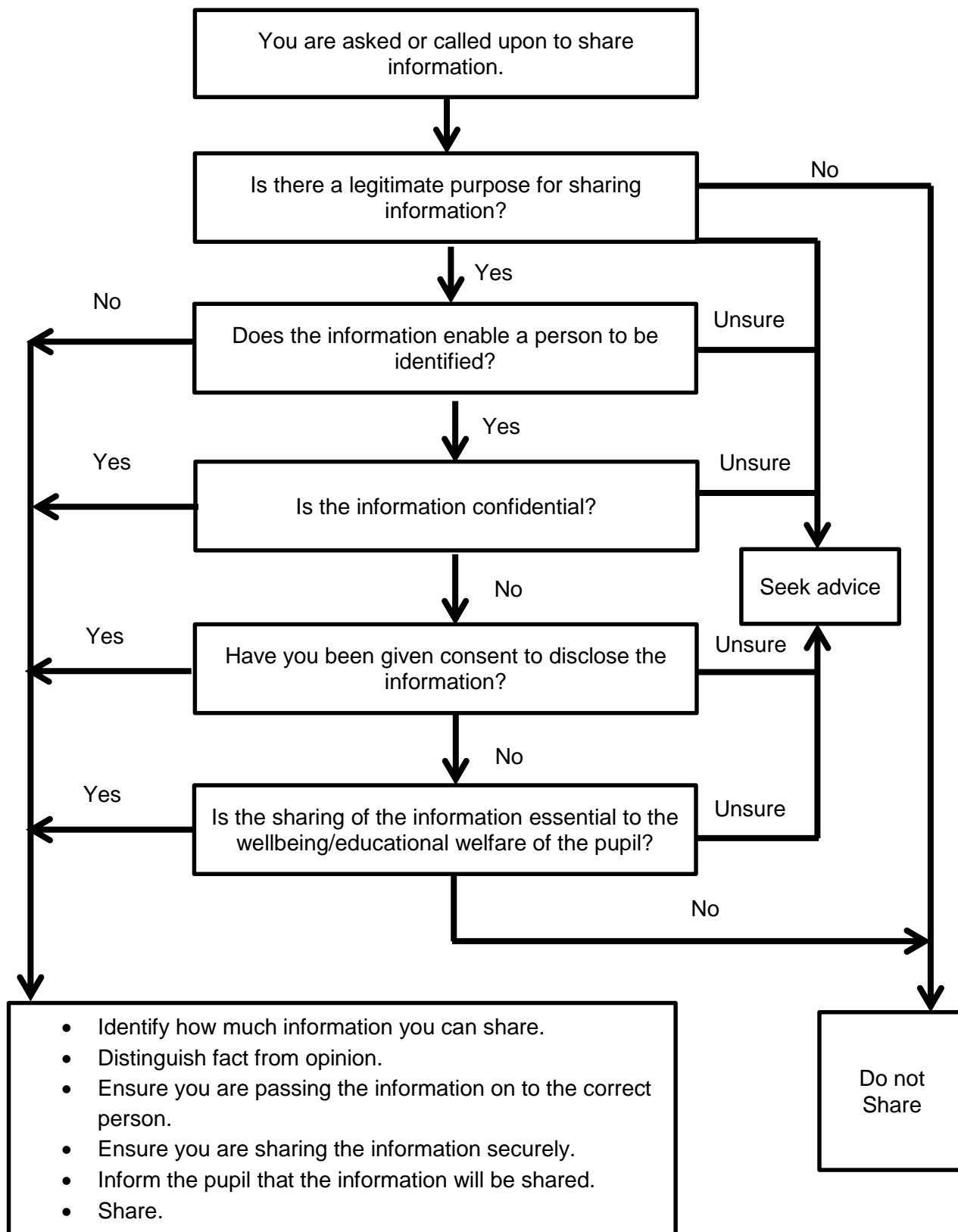
- 12.1. Parents/carers are made aware of the school's Confidentiality Policy and are informed that a copy can be viewed at the school office.
- 12.2. Parents/carers are made aware that the school cannot offer complete confidentiality if they deem a pupil is at risk from harm.

## **13. Policy review**

- 13.1. This policy is reviewed every two years by the Principal and Academy Committee.
- 13.2. The policy was reviewed, updated and approved by the Academy Committee in **October 2018**.



# Appendix 1- Staff Information Sharing Flowchart



**Notes**

- If there are child protection concerns, follow the relevant procedures without delay.
- Always seek advice if you are unsure whether to share information.

# Appendix 2- Representative Confidentiality Agreement



## Our Lady of Fatima Catholic Primary School

### Representative Confidentiality Agreement

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First of all, thank you for volunteering to be a Representative of this school. Your help and support in this role is greatly appreciated. In this role you are supporting the life of this school. This role carries certain responsibilities on your part including the requirement to be confidential about all matters relating to the School.

By signing this agreement, you agree to uphold Our Lady of Fatima Catholic Primary School's Confidentiality Policy (*Copy attached*) and have been made aware of the school's social media guidelines (copy attached). This means you will not share pupil / staff information with anyone other than those who are directly involved.

Examples of confidential information are:

- Information about staff and pupils.
- Information about actions of the Academy Committee that are not published in the minutes.
- Information accessed by 'privilege' e.g. notices on staff noticeboard.
- Information about future school plans / actions than have not been disclosed to parents.

I understand that I may have access to confidential information and that it is my responsibility to maintain the integrity of this information and to keep it private. I further understand that disclosure of confidential information may result in termination of my membership of the Academy Committee.

\_\_\_\_\_ PRINT NAME of Representative

\_\_\_\_\_ Signature of Representative / Date

\_\_\_\_\_ Signature of School representative / Date

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## Appendix 3- Voluntary Helper Confidentiality Agreement



### Our Lady of Fatima Catholic Primary School

### Voluntary Helper

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First of all, thank you for volunteering to be a helper at this school. Your help and support in this role is greatly appreciated. In this role you are supporting the life of this school. This role carries certain responsibilities on your part including the requirement to be confidential about all matters relating to the School.

By signing this agreement, you agree to uphold Our Lady of Fatima Catholic Primary School's Confidentiality Policy. This means you will not share with anyone pupil / staff information that breaches confidentiality. This document should be read in conjunction with the School's Confidentiality Policy (attached) and the Social Media Guidelines (attached).

Examples of confidential information are:

- Information about staff and pupils and events that occur in school. For example, a parent who knows you are a helper at the school may ask you how their child is getting on (e.g. academically / behaviour). To prevent any misunderstanding, it would be better to advise the parent to speak to the class teacher.
- Information accessed by 'privilege' e.g. notices on staff noticeboard / conversations

If you see something in school that concerns you, please discuss the matter with the Principal immediately.

I understand that I may have access to confidential information and that it is my responsibility to maintain the integrity of this information and to keep it private. I further understand that disclosure of confidential information may result in me no longer being acceptable as/required to be a volunteer helper.

\_\_\_\_\_ PRINT NAME of Voluntary Helper

\_\_\_\_\_ Signature of Voluntary Helper / Date

\_\_\_\_\_ Signature of School representative / Date

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# Appendix 4- Student / Work Experience Confidentiality Agreement



## Our Lady of Fatima Catholic Primary School

### Student / Work Experience Placement

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This document should be read in conjunction with the School's Confidentiality Policy (attached).

This work placement / experience carries certain responsibilities on your part including the requirement to be confidential about school matters.

By signing this agreement, you agree to uphold Our Lady of Fatima Catholic Primary School's Confidentiality Policy. This document should be read in conjunction with the Social Media Guidelines (attached). This means you will not share pupil / staff/ school/parent/carer information with anyone.

Examples of confidential information are:

- Information about staff, pupils and events that occur in school.
- Information accessed by 'privilege' e.g. notices on staff noticeboard / conversations.

If you see something in school that concerns you, please discuss the matter with the Principal immediately.

You must never use information about individual children outside the school without the permission of the Principal and/or parent/carer (photographs / names).

I understand that I may have access to confidential information and that it is my responsibility to maintain the integrity of this information and to keep it private. I further understand that disclosure of confidential information may result in me no longer being acceptable to attend the school as a student or work experience placement

\_\_\_\_\_ PRINT name of Student/Work Experience placement

\_\_\_\_\_ Signature of Student /Work Experience placement/ Date

\_\_\_\_\_ Signature of School representative/Date