

# *Hambrook Primary School*

## Confidentiality Policy

### Rationale

Hambrook Primary School seeks to put the child at the heart of the learning process and to provide a safe and secure learning environment. The school is mindful that all stakeholders hold a position of trust and there is a general expectation that a professional approach will be used in all matters of confidentiality. The school respects everyone's right to privacy. Sharing information unnecessarily is an erosion of trust.

### Aims

- To protect the child at all times and to give all staff involved clear, unambiguous guidance as to their legal and professional roles around confidentiality.
- To ensure all adults working in school deal confidently with sensitive issues.
- To encourage children to talk to a trusted adult if they are having problems.

### Guidelines

- All children 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 schools by these categories but individual children should not be able to be identified.
- Photographs of children should not be used without parents/carers permission especially in the press and internet.
- Staff will consider the suitability of the surroundings and the presence of other people when they have conversations with children, parents or carers that may need to be kept confidential.

### Personal Disclosures

(Including a child disclosing that their parent/carer is taking illegal drugs)

- Any disclosures of sexual activity at primary school are automatically a child protection issue and CP procedures need to be followed.
- If there is any doubt as to whether or not a disclosure is a child protection issue the information must be discussed with the school's child protection officer (the Head teacher). CP procedures will then be initiated if necessary.
- Any action that is taken as a result of a disclosure will always have considered the best interests of the child first and foremost.
- The police will be informed of any illegal activity.

### Having to break confidentiality

Care and due consideration is taken over decisions to break confidentiality.

When confidentiality has to be broken because someone may be at risk from harm:

- Children are told *when* the information has been passed on.
- Children are kept informed about *what* will be done with the information.
- Children are told *who* the information is given to, to alleviate their fears about everyone knowing.

The head teacher must be informed of all circumstances of this kind.

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### Adults working in our school

- Will implement the Safeguarding & Promoting the wellbeing of children policy.
- Must maintain professional standards of confidentiality about anything seen or heard within the school.
- If an adult has a concern about a child, but does not know the child's circumstances well enough to make a judgement about procedure, he/she should discuss their concerns with the child's class teacher who will have greater knowledge of the child.
- Must adhere to and enforce the school's procedures for the taking of and use of photographs and video recording in school.
- Must not give out child's personal details over the telephone until the validity of the request has been ascertained via a returned call.
- If an adult receives external information that leads them to believe there is a child protection issue, they must refer the information to the child protection coordinator (the head teacher) immediately.
- No adult should enter into detailed discussion about a child's behaviour or academic progress with other children or their parents.

### Governors' Meetings

- Governors, in particular those sitting on discipline committees, will not divulge details about individuals (be they staff, families or individual children) to any person outside of the meeting.
- Governors need to be mindful that from time to time issues are discussed or brought to their attention about staff and children. Governors must observe complete confidentiality, especially in relation to matters concerning individual staff, children 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 confidential.
- Governors should exercise the highest degree of prudence when discussion of potentially contentious issues arises outside the governing body.

### Information held about children

- Information about children will be shared with parents/carers but only about their child. Parents/carers will not have access to any other child's marks and progress grades at any time. However, parents/carers should be aware that information about their child will be shared with the receiving school, if and when they change school.
- All personal information about children including social services records are regarded as confidential. The Headteacher will decide who will have access, and whether those concerned have access to all, or only selected information.
- Information regarding health reports such as speech therapy, medical reports, SN reports, SN minutes of meetings, Social Care and Health Services will be kept securely.

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- Staff should be aware of children 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 children.
- Addresses and telephone numbers of parents and children will not be passed on except in exceptional circumstances or to a receiving school.
- Provision has been made for keeping information held in the school office confidential.

### In the classroom

- Staff are aware that effective sex and relationship education which brings an understanding of what is and is not acceptable in a relationship, can lead to disclosure of a child protection issue. The school prides itself on good communication with parents and carers and staff are always available to talk to both children and parents/carers about issues that are causing concern. The school encourages children to talk to parents/carers about issues causing them concern and may in some cases support the children to talk to their parents.
- Ground rules and distancing techniques will be used where sensitive issues are to be addressed e.g. drugs education, sex and relationships education.
- Adults should not put pressure on children to disclose personal information and should discourage others from applying any such pressure.
- All adults will remind children that some information they share in the classroom may need to be shared with other adults for their protection.
- Children will be reassured that, if information has to be shared, they will be informed first and then supported appropriately.
- If a child and his/her parent/carer wish to highlight an issue to a peer group then this will be carried out sensitively by the class teacher/Headteacher e.g. bereavement.
- When situations and issues are discussed, depersonalisation techniques are used (e.g. collecting group ideas, using case studies) so that issues can be explored without personal information being disclosed.

This Confidentiality Policy impacts upon every other school policy.

Policy Agreed: Autumn 2014

Review date: Autumn 2018

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## Appendix 1

### Legal Requirements

#### Human Rights Act 1998

Gives everyone the right to "respect for his private and family life, his home and his correspondence", unless this is overridden: by the pupil interest, for reasons of child protection, for the protection of public safety, pupil order, health or morals or for the rights and freedoms of others.

#### Data Protection Act 1998

Applies to personal data of living, identified viable individuals, not anonymised data, manual and electronic records. Schools need to be clear, when collecting personal data, what purposes it will be used for and schools should have policies to clarify this to staff, pupils and parents.

#### Freedom of Information Act 2000

Amends the Data Protection Act. Gives everyone the right to request any records a public body, including schools, holds about them. A school may withhold information it has if it is considered the information may damage the recipient, if disclosed. School data or record keeping policy should also cover the requirements of this act.

#### Children's Act 2004

The Children's Act, 2004, sets out the following objectives under the every child matters agenda:

- Children and Young People are mentally and emotionally healthy
- Children and Young People are sexually healthy
- Children and Young People choose not to take illegal drugs
- Children and Young People are safe from maltreatment, neglect, violence and sexual exploitation
- Children and Young People have security, stability and be cared for.

### EIA Screening

Groups that may be affected:

Are there concerns that the policy could have a different impact on any of the following groups?	Existing or potential adverse impact	Existing or potential for a positive impact
Age		
Disability		
Gender reassignment		
Marriage and civil partnership		
Pregnancy and maternity		
Racial groups		
Religion or belief		
Sex		
Sexual orientation		

Any adverse impacts are explored in a Full Impact Assessment