

# **MILTON PARK PRIMARY SCHOOL**

## **CONFIDENTIALITY POLICY**

### **INTRODUCTION**

Everyone who works in a school environment will come into contact with confidential information. This policy outlines the responsibilities of all staff to maintain confidentiality and the procedures that must be observed.

### **AIMS**

- To protect pupils, families and staff.
- To provide consistent messages in school about handling confidential information.
- To give all staff clear, unambiguous guidance as to their legal and professional roles.
- To ensure good practice throughout the school which is understood by pupils, parents and staff.
- To ensure that parents have a right of access to any records the school may hold on their child, but not to any other child for whom they do not have parental responsibility.
- To foster an ethos of trust within the school.

### **PUPILS**

All information regarding individual pupils is private and should only be shared with those staff who need to know.

Confidential information regarding pupils and their families (eg social services, medical and personal information) will be held in a safe and secure place which cannot be accessed by individuals other than designated school staff.

All pupils have a right to the same level of confidentiality irrespective of gender, race, religion, medical concerns or educational issues.

Parents must not have access to any other pupil's books, teacher comments, reports or assessment data at any time.

Addresses, contact numbers or email addresses of other parents or staff must not be divulged, except to a receiving school or (in exceptional circumstances) at the discretion of the Headteacher or her nominated deputy.

## **STAFF**

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

- impinges on the terms of their contract, or
- endangers pupils or other members of staff, or
- requires disclosure under a legal obligation.

Computerised personnel records are password protected and only available to staff to whom access is required to fulfill their professional role.

Paper personnel records are kept in a locked cabinet and access is restricted.

## **PUBLIC STATEMENTS/SOCIAL MEDIA**

Any member of staff using the internet, particularly social networking sites such as Facebook, should ensure that no detrimental reference is made to the school, its pupils, families or employees. Contravention would be viewed as warranting disciplinary action. See Social Networking Policy for further information.

## **IMPLIED CONDITIONS OF THE CONTRACT OF EMPLOYMENT**

Implied terms in any contract of employment are those aspects of it which are not prescribed in some specific way (ie in writing or in some oral form which are intended to be binding on both the employer and employee) but which are nevertheless essential to the contract and its performance.

The main implied terms which affect employees are:

### **1 The Duty of Fidelity**

This is the expected loyalty of the employee to the employer in the carrying out of a contract and includes deliberate or negligent actions or omissions, which could damage the business prospects or reputation of the school, or in any way, bring the school into disrepute. Such actions could include improper behaviour when on school business, using information obtained through employment with the school to benefit self/another organisation, or to damage the integrity of the school.

### **2 Confidence and Trust**

Any conduct which is likely to destroy or seriously damage the relationship of confidence and trust which must exist between the school and its employees. Such conduct could be actions committed outside work, which has a bearing on your employment, eg fraud or theft or by bringing the school into disrepute.

### **3 Duty of Care**

Every employee has a duty of care towards the school. Care in this instance is defined as the requirement for employees in their particular occupation to utilise their skills, ability and knowledge (for which they are employed) to the best interest of the school. Similarly, employees will use school equipment and resources with proper regard to their intended use.

#### **MANAGERIAL RESPONSIBILITY**

Employees who are managers or hold senior positions in school have particular positions of trust greater than an employee without these responsibilities. Terms implied in their contracts of employment place additional emphasis on behaviour and responsibility. Managers should, therefore, set an example to other employees in observing the rules and practices of the school. Senior leaders/managers will necessarily be party to highly confidential information and must observe this confidentiality at all times.

An employee who holds a senior position is entrusted to exercise discretion and judgement when carrying out their duties. When exercising discretion they must have full regard to the school's legal obligations, rules of employment and the expected standards of conduct and behaviour as they apply to their particular work area. This term of the contract of employment is breached when a manager commits or omits an act, not in the honest exercise of discretion or choice, but in order to disrupt the school's business or to cause inconvenience or distress to either the school or its employees. Contravention would be viewed as warranting disciplinary action.

#### **DUTY TO DISCLOSE**

All managers are responsible for monitoring the conduct of employees under their control. Where there appears to be evidence of a serious breach of the contract of employment on the part of an employee or employees then the manager has a duty to disclose such a breach to the Headteacher in order that the appropriate action may be taken

#### **APPOINTMENTS/PROMOTION/DISCIPLINE**

Any appointments or promotions must be made on the basis of merit and the recruitment and selection procedures as determined by the Governing Body. Members of staff or Governors involved in these processes must declare to the Headteacher any personal, social or other relationship with any candidates or other employee over which any decision is required. In the case of a Headteacher this should be declared to the Chair of Governors.

Similarly, employees or Governors must not be involved in dealings relating to the disciplinary/grievance/capability procedures which involve another employee who is a relative, partner or a personal friend.

**Associated documentation:**

Safeguarding Policy  
Freedom of Information Act Publication Scheme  
Data Protection Policy  
Staff Code of Conduct  
Governors' Code of Conduct  
Social Networking Policy