

Hasmonean Primary School

Confidentiality Policy

March 2011

Introduction:

DfES Sex and Relationship Education Guidance (July 2000) states 'Schools should have a clear and explicit confidentiality policy which is advertised to pupils, staff, parents and visitors'.

The Data Protection, Freedom of Information and Human Rights Acts all need to be taken into consideration.

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 ‘public interest’, e.g. for reasons of Child Protection, for the protection of public safety, public order, health or morals or for the rights and freedoms of others.

Data Protection Act 1998: Applies to personal data of living, identifiable 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. Schools data or record keeping policy should also cover the requirements of this Act.

Rationale and statement on the importance of confidentiality at Hasmonean Primary School.

We believe that:

- The safety, well being and protection of our pupils are the paramount consideration in all decisions staff at this school make about confidentiality. The appropriate¹ sharing of information between school staff is an essential element in ensuring our pupils well being and safety.
- It is an essential part of the ethos of our school 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.
- The school's attitude to confidentiality is open and easily understood and everyone should be able to trust the boundaries of confidentiality operating within the school.
- Issues concerning personal information including other personal matters can arise at any time.
- Confidential meetings should be held in an appropriate environment where confidentiality can be maintained.
- Everyone in the school community needs to know the limits of confidentiality that can be offered by individuals within the school community so they can make informed decisions about the most appropriate person to talk to about any personal issue they want to discuss.

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 can be offered in Hasmorean Primary School. 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 childrens' 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.

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/carers and any required actions and sources of further support or help available both for the pupil or parent/carer and for the staff member within the school and from other agencies, where appropriate. All staff at this school encourage pupils to discuss difficult issues with their parents or carers, and vice versa.

3. The legal position for school staff:

School staff (including non-teaching) should not promise confidentiality. Pupils do not have the right to expect that incidents will not be reported to his/her parents/carers and may not, in the absence of an explicit promise, assume that information conveyed outside that context is private. No member of this school's 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 at this school make about confidentiality.

School staff are NOT obliged to break confidentiality except where child protection is or may be an issue, however, at Hasmorean Primary School 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 and the pupils' safety and well being is maintained.

All staff:

Many issues are discussed openly in staff meetings, in Key Stage meetings, in the staff room etc and sometimes involve individual children or family circumstances or other sensitive matters. Whilst such discussion is encouraged, to ensure that the staff as a whole feel fully involved and are aware of what is happening within 'their' school it is expected that all such matters remain 'in-house' and are not discussed or mentioned elsewhere.

Issues which are kept 'confidential' to the school and are discussed openly with many members of staff are dealt with this way so that a variety of views can be sought before making a final decision as to what action should be taken. All members of staff involved in such discussions must feel free to make their thoughts known so that the best solution to the problem can be found.

Any member of staff who discusses a problem of a personal nature with the Headteacher or indeed with any other member of staff, should feel secure in the knowledge that it will go no further unless they wish it to do so.

Confidentiality relies on the ability of any member of staff to trust in the integrity of their colleagues.

At Hasmorean Primary School, we expect all staff, to report any disclosures by pupils or parents/carers, of a concerning personal nature to the designated child protection co-ordinator or the Headteacher 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 in conjunction with the Headteacher, 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:

Hasmorean Primary School 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 at school, they will be encouraged to also discuss the matter with their parent or carer themselves.

The safety, well being and protection of our pupils is the 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 school's

PSHCE

Drugs

Sex and Relationship Education

Child Protection

Behaviour & Anti-Bullying

Support for staff

Staff may have support needs themselves in dealing with some of the personal issues of our pupils. At Hasmorean Primary School we prefer you to ask for help rather than possibly making a poor decision because you don't have all the facts or the necessary training, or taking worries about pupils home with you. There are many agencies we can refer pupils to who need additional support and we have procedures to ensure this happens. We all work together as part of a team to support our pupils and asking for help is a way we ensure Hasmorean Primary School is a happy and safe learning environment.

Hasmonean Primary School teaching staff should discuss any concerns about pupils with the Deputy Head or Headteacher or the co-ordinator for Pastoral Care.