



## **CONFIDENTIALITY POLICY**

<b>Version</b>	<b>5</b>
<b>Date of latest version</b>	<b>Autumn 2023</b>
<b>Date to be reviewed</b>	<b>Autumn 2024</b>
<b>Changes:</b>	

This policy has been written in accordance with Hampshire County Council guidelines sent to schools.

### **Aim:**

All members of staff working on the school site are clear about the levels of confidentiality that they can offer to the school community and can expect themselves.

### **Objectives:**

Ropley Primary School seeks to provide a safe and secure learning environment for pupils and staff. It is committed to allow pupils a voice to be heard whilst recognising the responsibility to use, hold and safeguard information received. To ensure that staff, parents and pupils are aware of the school's confidentiality policy and procedures everyone must understand the varying levels of confidentiality which might be offered in different circumstances.

The policy was developed in the light of developments e.g.

- Ofsted Self Evaluation
- Recent legislation
- Extended Schools
- School based health services
- Information sharing and assessment
- The Common Assessment Framework for vulnerable young people
- The revised Data Protection legislation
- Healthy Schools enhanced status

A clear explicit and well publicised confidentiality policy ensures good practice throughout the school which staff, (including staff from external agencies), parents/carers and pupils can easily understand. Ropley Primary School needs to be clear about the boundaries of their legal and professional roles and responsibilities e.g. Child protection/safeguarding procedures.

Different professionals can offer varying levels of confidentiality in different circumstances. Sometimes parents/carers and families may wish to disclose information confidentially to the school. This policy helps Ropley Primary School to be clear about their position.

The policy was developed with a working group consisting of representatives of staff, pupils, parents, carers and governors. Consultation has taken place with the whole school community, including our partner agencies, and their feedback taken on board. The final policy was agreed by the Senior Leadership Team

and the school's Governing Body and has been widely disseminated to staff, pupils, parents/carers and partner agencies. It forms part of the induction of all new staff including voluntary staff.

The confidentiality policy applies to:

- All teaching and non-teaching staff employed by the school.
- All visiting staff working with young people on the school site during the school day.
- Staff from external agencies delivering services on the school site.
- All governors.
- Volunteers working in school.

#### **Staff support and training:**

This policy will form part of the induction process for new members of staff. Appropriate training will be offered to staff to support the implementation of this policy.

#### **All school staff members (both teaching and non teaching, visiting staff and outside agencies)**

Ropley Primary School recognises 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 enormous 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 for support. We want to be as helpful as we can whilst recognising that there may be potential difficulties in being supportive.

Staff should adhere to the following:

When talking with pupils, it is important for staff to be aware of, and, maintain professional boundaries. Whilst being supportive, distancing techniques should be used when appropriate and pupils encouraged or supported to access confidential services.

Staff must make clear to pupils that they cannot offer unconditional confidentiality when a pupil first begins to talk about something where confidentiality may become an issue.

Pupils should be warned that if there is a child protection/ safeguarding issue where the pupil, or others, are likely to be at risk of significant harm, staff are under a duty to inform the school's Child Protection/ Safeguarding Liaison Officer who may have to involve other agencies. (Please refer to the school's child protection/ safeguarding procedures for further advice on this aspect). It is important that each member of staff deals with this sensitively and explains to the pupil that they must inform the appropriate people who can help the child, but that they will only tell those who need to know in order to help.

School staff can only offer confidentiality to pupils on issues that do not involve illegal activities. If the conversation begins to move to this kind of issue, the pupil must be warned that confidentiality cannot be guaranteed.

In all cases where staff feel that they have to break confidentiality with the pupil, they must inform the pupil, (unless there is a good reason not to inform them e.g. risk of harm) and reassure them that their best interests will be maintained.

In talking with pupils, staff need to encourage pupils to talk to their parents/carers about the issue that may be troubling them and support in doing this should be offered where appropriate.

Pupils should be made aware of the specialist confidential services that may be available through the school or in the community e.g. school nurse, counsellor or doctor.

No member of staff should enter into detailed discussion about an individual child in the presence of another child or other parents.

Staff should not put pressure on pupils to disclose personal information.

### **The school nurse and school based health service: Confidentiality and pupils**

The government has recognised that for some young people, unless they are able to speak to someone confidentially away from their family, their health and well-being can be at great risk. Health services (including doctors and school nurse) can offer confidential health services to pupils under the age of 16 providing they follow the Fraser Guidelines.

The requirement to offer a confidential service is within the professional Code of Practice for school nurses and other health service staff. The government has also signed up to international legislation and charters which entitle young people to access health services. However, health professionals like everyone else, must inform appropriate services if they become aware of a child protection/ safeguarding issue in discussions with a young person.

The school based health service will offer more confidentiality than that offered by school staff.

### **Confidentiality and information about parents/carers & families**

Sometimes there may be family issues which might affect a pupil which the family will only disclose to the school if they can be sure the information will be treated confidentially. Staff will respect the wishes of the family. If it is felt necessary to share the information given to the school, 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 child protection/ safeguarding concern.

### **Confidentiality and information about staff and governors**

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

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

### **Linked policies:**

- Health and safety
- Child protection
- Sex education
- External visitors
- Discipline policy
- Racial equality
- PHSE and citizenship

## **APPENDIX 1:**

### **A statement for parents and carers concerning confidentiality and pupils.**

There is increasing national concern for the emotional health and well-being of young people growing up in today's society. We recognise that parents and carers want to do all they can to support their child, but even in the most supportive of relationships, where there is excellent communication between parent/carer and child, there can be occasions when children are worried about something and feel that they cannot talk about it with their parents. This may result in enormous stress for the pupil which can impact on their education, health and behaviour. Whilst we recognise that parents and carers will naturally be disappointed if their child does not choose to talk with their parents about what is troubling them, we feel there could be even more distress if the pupil is unable to cope with the issue themselves. On this basis we have agreed the following:

Ropley Primary School staff will be supportive to pupils who approach them with concerns but will make it clear that they cannot offer confidentiality to the pupil on anything that involves an illegal activity or anything that is a potential child protection/ safeguarding issue where the pupil or others are likely to be at risk of significant harm.

Where appropriate senior staff will liaise with parents/carers where an issue has been reported over which confidentiality cannot be offered.

If appropriate staff will support pupils to inform their parents/carers about issues that are troubling them.

Ropley Primary School staff are aware of specialist confidential services in the community where parents and children can seek assistance if they wish.

Parents have a right of access to any records the school may hold on their child, but not to the records of any other child they do not have parental responsibility for.

Staff may wish to discuss an individual pupil with a class. This may be to support inclusion of a child with a particular need so that their peers are made aware of the condition and have some idea of what to expect. In such cases permission will be sought from the child and his/her carers as appropriate.

#### *School nurse:*

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The requirement to offer a confidential service is within the professional Code of Practice for school nurses and other health service staff. The government has also signed up to international legislation and charters which entitle young people to access health services. However, health professionals like everyone else, must inform appropriate services if they become aware of a child protection/ safeguarding issue in discussions with a young person.

## **APPENDIX 2:**

### **A statement for pupils concerning confidentiality.**

Staff at Ropley Primary understand that there may be times when there are things which may be worrying you but you feel that you can't talk about them with your family. Teachers and other members of school staff will do all they can to help you but you need to know the following:

Staff might also be able to help you find someone else outside of school if you think this is better for you.

The teachers and other members of staff in the school will often be able to help you with many of the things that may be worrying you but they cannot promise to keep everything to themselves. If you tell them about something illegal, they will have to speak to either the Headteacher or the deputy who might then have to speak to your parents/carers or the police or Children's services.

If the staff member feels that they have to tell someone else what you have talked about, they will normally tell you first, perhaps helping you to speak to your parents/carers if you want this.

Very rarely there are things which you talk about that can be very dangerous for you or for other young people e.g. someone trying to harm you. Any adult you speak with may have to tell someone else about what you have said, but they will normally tell your first and always help you to sort things out.

In lessons where sensitive issues are discussed, ground rules are set for the protection of all.

Intolerance about gender, faith, race, culture or sexuality is unacceptable.

You should have access to certain parts of your personal records but to no one else's.

Staff may wish to discuss an individual case with a class. This may be to support the inclusion of a child with a particular need so that you are made aware of the condition and have some idea of what to expect. In such cases permission will be sought from the child and his/her carers.