



Pauntley C of E Primary School

Confidentiality Policy

School Mission Statement Stepping out boldly with God

'Jesus said, follow me.' Matthew 9.9

Pauntley is an inclusive and caring school of choice. We are child-focussed, with core values to enable us all to follow Jesus's example and so flourish and contribute to the local community and the world God loves.

Rationale

We believe that:

- The safety, well-being and protection of our children are paramount in all decisions staff at this school make about confidentiality. The appropriate sharing of information between school staff is an essential element in ensuring our children's wellbeing and safety
- It is an essential part of the school ethos that trust is established to enable children, staff and parents/carers to seek help both within and outside the school
- Children, parents/carers and staff need to know the boundaries of confidentiality in order to feel safe and comfortable discussing personal issues and concerns, including relationships
- The school's attitude to confidentiality is easily understood and everyone should be able to trust the boundaries of confidentiality operating within the school
- Issues concerning personal information can arise at any time
- Everyone in the school community needs to know that no-one can offer absolute confidentiality
- 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 health, relationship and sex or other personal issue they want to discuss

Definition of Confidentiality

Confidentiality is defined as 'something which is spoken or given in private, entrusted with another's secret affairs'. 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 own conversation completely secret and discuss it with no-one.

In practice there are few circumstances where absolute confidentiality is offered in our school. We strive to strike a balance between ensuring the safety, well-being and protection of our children and staff, ensuring there is an ethos of trust where everyone can ask for help when they need it and ensuring that when it is essential to share personal information, child protection/safeguarding issues and good practice are followed. This means that in most cases what is offered 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.

Staff should make it clear that there are limits to confidentiality at the beginning of the conversation. These limits relate to ensuring children's safety and well-being. The child will be informed when a confidence has to be broken for this reason and be involved in the information sharing.

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 children that this is not the time or place to disclose confidential personal information, but ensure that you address the issue before the end of the school

day. When a health professional is contributing to a school's health education programme in a classroom setting, they are working within the same boundaries of confidentiality as a teacher.

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 children and parents/carers and any required actions and sources of further support or help available both for the child or parent/carer, within the school and from other agencies where appropriate. All staff at this school encourage children to discuss different issues with their parents/carers and vice versa. However, the needs of the child are paramount and the school staff will not automatically share information about the child with his/her parents/carers unless it is considered to be in the child's best interests. There are occasions when sharing information with parents/carers could put the safety of the child at risk.

3 The Legal Position for School Staff

School staff should not promise confidentiality. Children do not have the right to expect they will not be reported to their parents or 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.

Illegal activity

Members of staff are not obliged to inform the police on most matters relating to illegal activity, such as illegal drugs activity or assaults that happen outside the normal teaching/school business remit. In the case of illegal activity, the school will discuss the possible consequences with the child and seek the course of action with the most positive outcomes for the child, following advice from the Children's Helpdesk.

Teachers, counsellors and health professionals

Professional judgement is required by a teacher, counsellor or health professional in considering whether he or she should indicate to a child that the child could make a disclosure in confidence and whether such a confidence could then be maintained having heard the information. In exercising their professional judgement the teacher, counsellor or health professional must consider the best interests of the child, including the need to both ensure trust to provide safeguards for our children and possible child protection/safeguarding issues. All staff at this school receive basic training in child protection/safeguarding as part of their induction to this school and are expected to follow the school's child protection/safeguarding policy and procedures.

Visitors and non-teaching staff

We expect all non-teaching staff to report any disclosures by children or parents/carers of a concerning nature to the designated safeguarding lead (DSL) as soon as possible after the disclosure and in an appropriate setting, so others cannot over hear. The DSL will decide what, if any, further action needs to be taken.

Parents/carers

We believe 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 children can share any concerns and ask for help when they need it. Where a child does discuss a difficult personal issue with staff, the child will be encouraged to also discuss the matter with their parents or carers and may be supported to do so, where it is appropriate.

4 Complex Cases

Where there are areas of doubt about the sharing of information, we will consult with the Children's Helpdesk: 01452 426565

Procedures for Sharing Information:

We will explain to the child or young person that we must share information to make sure they are safe, this may be because:

- a) They are hurting themselves
- b) Someone is hurting them
- c) They are hurting someone else.

Also, confidentiality cannot be guaranteed where:

- a) A child needs urgent medical treatment
- b) Where a serious crime is involved
- c) Where safeguarding national security is involved, for example terrorism.

The principles we follow at school are that in all cases we:

- Ensure the time and place is appropriate, when they are not, we reassure the child that we understand they need to discuss something very important and that it warrants time, space and privacy
- Aim to see the child before the end of the school day, except in cases of neglect or abuse when the child will always be seen before the end of the school day. More serious concerns must be reported immediately to ensure that any intervention necessary to protect the child is accessed as early as possible
- Do not interrogate the child or ask leading questions
- Will not put children in the position of having to repeat distressing matters to several people
- Inform the child first before any confidential information is shared and the reasons for this
- Encourage the child, whenever possible to confide in his/her own parents/carers.

See the Safeguarding Policy for further details.

Support for Staff

Staff may have support needs themselves in dealing with some of the personal issues of children. We urge staff to seek help rather than possibly make a poor decision because they don't have all the facts or the necessary training, or allow school based issues to transgress into their personal life. Staff should discuss any concerns with the DSL Kay Selwyn or Head Teacher Tony Lerner.

5 Guidelines

1. All information about individual children is private and should only be shared with those staff who have a need to know.
2. All social services, medical and personal information about a child should be held in a safe and secure place which cannot be accessed by individuals other than specific school staff.
3. All staff have regular training on child protection issues.
4. There is clear guidance for procedures if a member of staff is accused of inappropriate conduct.
5. Any intolerance about gender, faith, race, culture or sexuality is unacceptable and should follow the schools discipline policy.
6. Information collected for one purpose should not be used for another.
7. Parents/carers and children need to be aware that the school cannot guarantee total confidentiality and the school has a duty to report child protection issues.
8. 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 identified.
9. School needs to be proactive so children feel supported but information is not necessarily revealed in a public arena. Even when sensitive information appears to be widely known it should not be assumed by those immediately involved that it is appropriate to discuss or share this information further.
10. Health professionals have their own code of practice dealing with confidentiality. Staff should be aware of children with medical needs and the class information sheet should be accessible to staff who need the information, but not on general view to other parents/carers and children.
11. Photographs of children should not be used without parents/carers permission especially in the press and on the internet and further details about this are clearly stated in the School's Acceptable (Internet) Use Policy.
12. Information about children will be shared with parents but only about their child. Parents should not have access to any other child's books, marks and progress at any time, especially at parents' evening. However, parents should be aware that information about their child will be shared with the receiving school when they change school. All personal information about children, including social services records should be regarded as confidential. It should be clearly understood by those who have access to it, and whether those concerned have access to all, or only some of the information

The school is committed to upholding General Data Protection Regulations and holds a detailed policy that outlines its approach to acquiring, storing and disposing of data.

Record Keeping

The school shall keep the following records:-

- Pupil Education Records
- Pupil Admission Documents and Personal Information
- Personnel Records
- Financial Records
- Curriculum Policy Documents
- Non-Curricular Policy Documents

Pupil Education Records (Keeping, Disclosure and Transfer)

The school shall keep and update curricular records on children, covering their academic achievements, other skills and abilities and progress in school. (This may well include summative records, formative records, examples of work, copies of reports and profiles, SATS results) Other material, although not mandatory may also be recorded. The curricular record, together with this additional material will comprise a child's educational record.

Confidential reports (e.g. from Social Services, Psychological Reports etc.) must be kept separately from the above general information. Children's educational records (except for exempted material as specified on DES Circular 17.89) shall be disclosed on request to parents within the time specified by the statute in force at the time, and to schools considering a child for admission or following a request from another school after transfer. The school shall provide an opportunity for the correction of inaccurate educational and personal records. Governors shall consider appeals against any decision by the Headteacher or any teacher with delegated authority to refuse to disclose, transfer, copy or amend a child's record.

Pupil Admission Documents

The School shall keep admission records specifying any information required by the LA, school Governors or DFE relating to children on roll at the time. These shall be kept up-to-date and amended as and when children join or leave the school, providing that the keeping of such information does not contravene any law or statute in operation at the time.

Personnel Records

The School shall maintain records of personnel relating to their qualifications, experience, length of service, salary levels. Performance Management statements shall be the property of the employee and shall not be maintained with the above records and shall not be used in any way other than at the request of, or with the permission of the employer. A single copy of performance management may be kept securely. Application forms of applicants (and references) for vacant posts will be kept securely in the school office until an appointment has been made. Following a successful interview the successful candidate's application and references shall securely filed for no less than six months. Any copies of these applications shall be destroyed following a successful appointment. References for staff within the school for posts outside it shall be kept securely by the Headteacher.

Financial Records

Records of the school's financial controls and budget shall be kept in accordance with current DFE and LA regulations and shall be made available for inspection by the proper authorities under those statutes and regulations.

Curriculum Policy Documents

Documents which describe the schools policies on areas, subjects of the curriculum, topics, schemes of work etc. shall be maintained up-to-date and available for inspection by authorised persons (e.g. parents, advisors, inspectors, governors etc.).

Non Curricular Policy Documents

Documents which describe the school's policies on non-curricular matters as required by the Governing Body, Ofsted, LA or DFE shall be prepared, maintained and kept up-to-date and made available to authorised persons as required. A list of the required policies shall be made available also and updated as appropriate.

6. Destruction of Documents

Where appropriate, existing countywide policy has been adhered to, particularly in the area of Financial Records and audit requirements. Where there has been no specific legislative requirement for the retention or disposal of records, advice has been sought from the County Archives on best practice. Pauntley CofE Primary School Retention, Disposal and Destruction Guidelines are set out in the GDPR Policy. .

Much of the paperwork relating to Child Care is statute based and the retention periods quoted are legally required.

Where records are archived electronically, the same retention periods apply as if they were paper based records.

Individual records may be retained longer, with the specific approval of the Director of Children's Services

Once case files are closed, they should be retained for up to 12 months within the area offices and then archived.

Documents of particular worth, interest or value may be of further interest to the County Records Office. A schedule of documents should be notified to the County Records Officer one month prior to destruction (this does not include personal records)

7. Destruction of files

All records are to be destroyed by shredding when the retention period has expired.

This policy is also linked to other policies:

PSHE and Citizenship, Safeguarding, GDPR