

An exceptional education that draws out the unique potential of each student

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Confidentiality Policy

This policy is intended to be used in conjunction with the following policies: Safeguarding and Promoting Welfare of Children Policy; Student Wellbeing Policy; PSHE Policy; RSHE Policy; Anti-bullying Policy (including E-Safety); Behaviour Policy. It is guided by '[Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers](#)'

This policy is distributed to all teaching, support staff and the school Board. All new staff will receive a copy of the policy, together with basic training on the school's Safeguarding and Promoting Welfare of Children Policy and procedures from the Designated Safeguarding Lead.

1. Rationale and statement on the importance of confidentiality

This policy outlines our approach to confidentiality *as this relates to safeguarding*. We believe that:

- The safety, wellbeing and protection of our students is the paramount consideration 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 students' wellbeing and safety.
- It is an essential part of the ethos of our school that trust is established to enable students, 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 students and staff are supported and safe.
- Students, parents/carers and staff need to know the boundaries of confidentiality in order to feel safe and comfortable in discussing personal issues and concerns, including sex and relationships.
- 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 sex and relationships and other personal matters 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, sex and relationship or other personal issue they want to discuss.

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2. 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 is offered in school. We have tried to strike a balance between ensuring the safety, well-being and protection of our students and staff, ensuring there is an ethos of trust where students 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 children's safety and well-being. The student will be informed when a confidence has to be broken for this reason and will be encouraged to do this for himself or herself whenever this is possible.

Different levels of confidentiality are appropriate for different circumstances.

- A. **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 students that this is not the time or place to disclose confidential, personal information. When a health professional is contributing to a school health education programme in a classroom setting, they are working with the same boundaries of confidentiality as a teacher.
- B. **One to one disclosures** to members of school staff (including voluntary staff).
It is essential all members of staff know the limits of the confidentiality they can offer to both students and parents/carers (see note below) and any required actions and

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sources of further support or help available both for the student or parent/carer and for the staff member within the school and from other agencies, where appropriate.

All staff encourage students to discuss difficult issues with their parents or carers, and vice versa. However, the needs of the student are paramount and school staff will not automatically share information about the student with his/her parents/carers unless it is considered to be in the child's best interests.

Adults who are likely to come into contact with students to discuss sensitive issues that are likely to require varying levels of privacy are trained thoroughly in Information Sharing guidance and Child Protection procedures. This training is updated regularly. Student Wellbeing leaders in the school are always available to staff for discussion and advice regarding disclosure, information sharing and confidentiality.

Note: When concerns for a child or young person come to the attention of staff, for example through observation of behaviour or injuries or disclosure, however insignificant this might appear to be, the member of staff should discuss this with the Designated Safeguarding Lead as soon as is practically possible. More serious concerns must be reported immediately to ensure that any intervention necessary to protect the child is accessed as early as possible. Please see the school Safeguarding & Promoting Welfare of Children Policy.

3. The legal position for school staff

School staff (including support staff and voluntary staff) should not promise confidentiality. Students 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, we believe it is important that staff are able to share their concerns about students with colleagues in a professional and supportive way, on a need-to-know basis. This would help to ensure staff receive the guidance and support they need and the students' safety and wellbeing is maintained.

Members of the school staff are expected to respect the confidentiality of the school community as a whole and students at the school. Therefore the sharing of personal or sensitive information regarding a student with anyone outside of the school community is not

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permitted. Should a member of staff be found to have disclosed confidential information to an inappropriate source then it will be dealt with through official employment procedures. (Please also see our Code of Conduct and Data Protection Policy)

School staff should discuss such concerns with the Student Wellbeing Lead or the Designated Safeguarding Lead.

Teachers, counsellor 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 issues.

All teachers and all staff receive basic training in child protection and are expected to follow the schools' child protection policy and procedures, including appropriate record keeping.

Visitors and support staff

We expect all support staff, including voluntary staff, to report any disclosures by students or parents/carers, of a concerning personal nature to the Designated Safeguarding Lead as soon as possible after the disclosure and in an appropriate setting, so others cannot overhear. This is to ensure the safety, protection and wellbeing of all our students and staff. The Designated Safeguarding Lead will decide what, if any, further action needs to be taken, both to ensure the student gets the help and support they need and that the member of staff also gets the support and supervision they need.

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 students can share any concerns and ask for help when they need it. Where a student does discuss a difficult personal matter with staff, they will be encouraged to also discuss the matter with their parents or carers themselves where it is safe and appropriate to do so.

The safety, wellbeing and protection of our students is the paramount consideration in all decisions staff at this school make about confidentiality. There are some situations regarding Child Protection and disclosure where a decision not to inform a parent is necessary. These decisions will be informed by government [Information Sharing](#) guidance, and in consultation with Social Services and/or the Police service.



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Complex cases

Where there are areas of doubt about the sharing of information, we will seek a consultation with our Local Authority Designated Officer (LADO).

For further guidance, or if in doubt, consult members of the School Leadership Team, and/or see Designated Safeguarding Lead, and/or consult government [Information Sharing](#) guidance.

Approved by Board of Trustees, 18 November 2021

