



## **Confidentiality Policy**

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## Confidentiality Policy

### **Rationale**

The safety, well-being and protection of our pupils are the paramount considerations in all decisions staff, in our Federation, make about confidentiality. The appropriate 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 Federation that trust is established to enable pupils, staff, and parents/carers to seek help both within and outside the school. We, therefore, minimise information sharing to those occasions which are appropriate to ensure pupils and 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 Federation's attitude to confidentiality is open and easily understood and everyone should be able to trust the boundaries of confidentiality operating within the school. Everyone in the school community needs to know that no one can offer absolute confidentiality and that there are 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.

### **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. We have 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 procedures and good practice are 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 at the beginning of the conversation that there are limits to confidentiality. These limits relate to ensuring children's 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. (See setting ground rules and working agreements).

When a health professional is contributing to a school health education programme in a classroom setting, s/he is working with the same boundaries of confidentiality as a teacher.

**2. 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 pupils and parents/carers (see note below and safeguarding policy) 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. This includes support/advice from other agencies, where appropriate. All staff at this school encourage pupils to discuss difficult issues with their parents or carers, and vice versa. However, the needs of the pupil are paramount and school staff will not automatically share information about the pupil with his/her parents/carers unless it is considered to be in the child's best interests.

***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 one of the Designated Safeguarding Leads as soon as 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 Policy.***

**3. Disclosures to a counsellor, school nurse or health professional operating a confidential service in the school.**

Health professionals such as school nurses can give confidential medical advice to pupils provided they are competent to do so and follow the Fraser Guidelines (guidelines for doctors and other health professionals on giving medical advice to under 16s). School nurses are skilled in discussing issues and possible actions with young people and always have in mind the need to encourage pupils to discuss issues with their parents or carers. However, the needs of the pupil are paramount and the school nurse will not insist that a pupil's parents or carers are informed about any advice or treatment they give.

**The legal position for Federation staff**

Federation staff (including non-teaching and voluntary staff) 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 Federation'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 Federation make about confidentiality.

Federation staff are not obliged to break confidentiality except where child protection is or may be an issue, however, at The Acorn Federation 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. Federation staff should discuss such concerns with their line manager / supervisor or the DSL (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 staff at The Acorn Federation receive basic training in child protection as part of their induction to this school and are expected to follow the Child Protection and Safeguarding Policy. Any concerns should be discussed with the Designated Safeguarding Lead.

### **Visitors and non-teaching staff**

At The Acorn Federation, we expect all non-teaching staff, including voluntary staff, to report any disclosures by pupils 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 well-being of all our pupils and staff. The Designated Safeguarding Lead 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**

The Acorn Federation 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 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.

### **Complex cases**

Where there are areas of doubt about the sharing of information, a consultation should be sought with the Derbyshire's Child Protection Manager for schools.

### **Ground rules to be used in lessons**

We adopt ground rules to ensure a safe environment for teaching, in particular in PSHE lessons and circle time. This reduces anxiety to pupils and staff and minimises unconsidered, unintended personal disclosures. At the beginning of each PSHE lesson and circle time, pupils are reminded of the ground rules by the teacher or outside visitor.

- We won't ask each other or the teacher any personal questions
- We will respect each other and not laugh, tease or hurt others
- We won't say things we want to keep confidential
- We can pass or opt out of something if it makes us feel uncomfortable
- If we do find out things about other pupils, which are personal and private, we won't talk about it outside the lesson, but
- If we are worried about someone else's safety we tell a teacher

### **When confidentiality should be broken and procedures for doing this**

Information on our procedures are provided in the Child Protection Policy for situations where the health, well-being or safety of a child are in question. Where this does not apply and you are still concerned and unsure of whether the information should be passed on or other action taken you should speak to either the Headteacher or the Deputy Designated Safeguarding Lead. If the Headteacher issues instructions that s/he should be kept informed, all staff must comply. There is always a good reason for this, which you may not know about.

### **Principles of Confidential Discussion**

Ensure the time and place for a discussion are appropriate. When they are not, we reassure the child that we understand that they need to discuss something very important and that it warrants time, space and privacy. Staff will endeavour to find an appropriate time and space to see the

child 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. Remember to tell the child we cannot guarantee confidentiality if we think they will:

- hurt themselves
- hurt someone else
- or they tell us that someone is hurting them or others

During these conversations we:

- do not interrogate the child or ask leading questions.
- do not put children in the position of having to repeat distressing matters to several people but we will inform the pupil first before any confidential information is shared, with the reasons for this.
- Encourage the pupil, whenever possible / appropriate, to confide in his/her own parents/carers

### **Support for staff**

Staff may have support needs themselves in dealing with some of the personal issues of our pupils. At The Acorn Federation 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 which and we have procedures to ensure this happens.

### **Please also refer to the following policies and procedures:**

This policy is intended to be used in conjunction with our:

- PSHE
- Drugs
- Sex and Relationship
- Safeguarding
- Behaviour
- Whistle-Blowing