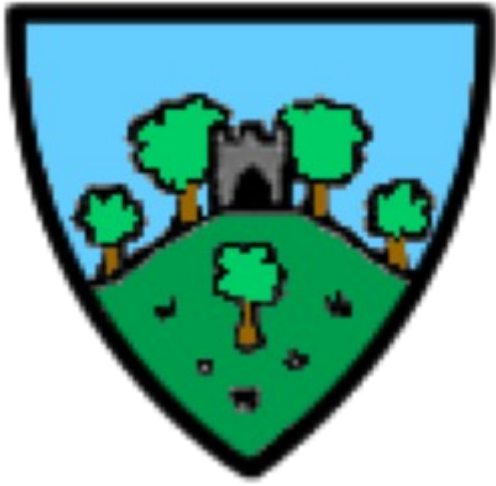




HOLTON LE CLAY SCHOOLS FEDERATION

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Confidentiality policy

Prepared by	Dawne Hunt
Approved by	Full Governing body
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Part 1: Introduction

The work of Holton le Clay Schools with children and families will bring us into contact with confidential information and this information will only be used and shared to enhance the welfare of individual children. Holton le Clay Schools will ensure all staff, volunteers and students are aware of and understand the confidentiality policy and will be made aware that any breach of confidentiality may lead to disciplinary

action. All schools are asked on occasions to keep information confidential. This can relate to a variety of issues including under age sexual activity, drugs use, abuse or other dangerous or illegal activities. It is important that the whole school follows the same clear and explicit policy. Pupils, parents and carers should be made aware of this and how it works in practice.

This school recognises its legal duty under section 175 Education Act 2002 to work with other agencies in safeguarding children and protecting them from “*significant harm*”.

- Our schools recognise that a clear confidentiality policy will support all stakeholders to be healthy and stay safe.
- The staff seek to adopt an open and accepting attitude towards children and young people as part of their general responsibility for pastoral care.
- Staff feel that they actively encourage parents and children to talk about any concerns or worries which may affect educational progress and that they will see the school as a safe place if there are any difficulties at home.
- This school recognises the following benefits of working to a confidentiality policy:
 - It highlights the importance of pupils being able to talk to adults in the school to share their problems in a safe and supportive environment.
 - It safeguards the well-being of those involved in the disclosure of confidential information.
 - It builds trust between pupils and staff.
 - It empowers each pupil to exercise control over the choices that will affect their life.
 - It allows information to be shared for the purposes of line management

Examples of where a confidentiality policy might be of use:

- a pupil knows someone who is bullying others at the school but is unsure about whether or not to tell
- a pupil starts sharing something very personal in a classroom situation
- a school uses staff or peers as a support system for pupils e.g. listening, befriending
- a pupil tells a member of staff that they are pregnant or sexually active
- a pupil informs a lunchtime supervisor of domestic abuse.
- a pupil talks to a member of staff about their knowledge of a crime e.g. shoplifting, assault

Staff roles and responsibilities

- All staff (teaching and non-teaching staff) will be made aware of the confidentiality policy and their entitlement to training and support in its implementation.
- All staff are under a contractual obligation to uphold the policy as with all other school policies. Failure to comply with this policy will result in disciplinary procedures being followed.
- This policy will be part of the induction pack for all new staff. It will be reviewed annually by staff and our governing body. A copy will be on the school notice board in the staff room.
- Staff can seek advice and support for themselves when dealing with a disclosure whilst keeping the individual's identity anonymous. The school will maintain an up-to-date list of appropriate contacts for staff so that they can seek support. This will include the following members of staff at this school.

The Executive Headteacher, Dawne Hunt (both Schools)

Deputy Headteacher, Zoe Baxter (Junior School)

Deputy Headteacher, Stephen Leeman (Infant School)

Part 2: Record keeping

2.1 Personal and Development It is a requirement that records are kept as follows:

- Personal records – each child will have an individual file (paper and / or electronic form), in which will be kept registration and admissions forms, consent forms, information and observations by staff on any confidential matter involving the child such as developmental concerns or child protection matters, reports or minutes from meetings concerning the child from other agencies working with the child/family.
- Developmental records – these include observations, assessment developmental records and samples of the child's work, in paper or electronic forms. Development records will be stored appropriately to ensure confidentiality and can be accessed at any time and contributed to by staff and the child.

2.2 Information Sharing - Other professionals are bound by their professional codes of conduct to maintain confidentiality when working on a one-to-one situation. When working in a classroom, they are bound by relevant school policies. In line with best practice guidance, like other school staff, they will seek to protect privacy and prevent inappropriate personal disclosures in a classroom setting. To ensure that parents, professionals and carers can share information with confidence, we will respect confidentiality in the following ways:

- Parents will have access to the records of their own children but will not have access to information about any other child;
- Personal records will be stored in a lockable filing cabinet (or securely online) within the provision and will be accessed only by staff members through the manager/supervisor;
- The setting will not discuss confidential information about children and parents/carers with other parents/carers;
- Information given will be shared on a need to know basis with the child's key worker and with other professionals, with the consent of the parent or carer in cases of child protection issues unless there is immediate risk to the child such a safeguarding referral where consent is not given or informing the parents of the referral puts the child at risk of harm.

2.3 Other Records

Staff records Each team member, paid or unpaid will have a personnel file containing personal information, recruitment information, training records, qualification, staff appraisal records and induction record. This file can be accessed, by the individual to whom the file relates, at any time. Issues relating to the employment of staff, whether paid or unpaid, will remain confidential to the people directly involved with making personnel decisions. Student records- Each student will have a file containing personal information, contact numbers, details of course, tutor and induction. This file can be accessed, by the individual to whom the file relates, at any time. Medication and Emergency treatment records Individual records relating to each child/staff member will be set up as and when required. All records relating to the children and individuals who have worked within the setting whether paid or unpaid will be archived for a period of time in line with regulations and guidance from Ofsted.

The school acknowledges that:

- Pupils and their parents/carers have a right to gain access to *processed* information upon written request.
- Agencies such as the Police and Social Services Dept. may be able to get a court order to gain access to *processed* information, which the school deems confidential. This can also include the Local Authority's legal department and insurers, as well as other solicitors e.g. in custody cases.
- Any information recorded about a pupil will be written in a way that assumes it will be read by either the subject or their parents/carers.
- In order to comply with the Lord Chancellor's Code of Practice on the Management of Records (issued under section 46 of the Freedom of Information Act 2000), any *processed* information will be stored in accordance with the Schools Record Management Systems.

Part 3: Access to personal information Parents may request access to records held on their child by following this procedure:-

- Any request to see the child's personal file by a parent or person with parental responsibility must be made to the Headteacher in writing;
- The Headteacher will reply with a written acknowledgement;
- Any third parties will be contacted in writing stating that a request for disclosure has been received and asking for their permission to disclose to the person making the request. Copies of these letters are retained for the file;
- Third parties, include family members, who may be referred to in the records, as well as workers from other agencies such social services, can refuse consent to disclose, preferring the individual to go directly to them;
- When all consents/refusals to disclose have been received these are attached to the copy of the request letter;
- A copy of the file is taken;
- Where a third party has refused disclosure of information, these references will be edited and as much information supplied as is possible;
- The information will be supplied either in hard format or electronically

Part 4: Personal disclosures

Disclosures from pupils may take place at an inappropriate place or time. If this happens, the member of staff should talk again individually to the pupil before the end of the school day. The member of staff may be able to discuss the issue with an appropriate colleague, to decide on suitable action, without giving the name of the pupil.

- Pupils should be reassured that their best interests will be maintained;
- Pupils should know that staff cannot offer unconditional confidentiality;
- Pupils should be reassured that, if confidentiality has to be broken, they will be informed first and then supported appropriately;
- Pupils should be informed of sources of confidential help, for example, the school nurse, counsellor, GP or local young person's advice service;

- Any personal information should be regarded as private and not passed on indiscriminately;
- If a member of staff receives information that leads them to believe that there is a child protection issue, they should refer the case to a designated teacher or child protection officer following discussion with the young person involved;
- Pupils should be encouraged to talk to their parents or carers and be given support to do so wherever possible;
- Government guidance requires professionals to consult as much as possible with parents about their children when referring to another agency. In general, parents should be asked if they wish to be referred, UNLESS THERE IS REASON TO THINK THAT OBTAINING SUCH CONSENT MAY PUT THE YOUNG PERSON AT RISK. If your referral is about child abuse (or risk of it) rather than “children in need”, it is good practice to consult Social Services for a consultation BEFORE discussing the issue with parents, unless a parent has asked you to make the referral and is already aware of it.

Part 5: Data protection

Holton le Clay Schools are required to keep and maintain records to comply with Ofsted registration and/or requirements of the Children Act 1989 and is aware of the requirements of the General Data Protection Regulation (GDPR) and the expected provisions of the Data Protection Act 2018 (DPA 2018) as set out in the Data Protection Bill and complies with the principles which state that personal data must be:

- Obtained and processed fairly and lawfully;
- Held for lawful purpose;
- Used only for the purpose stated;
- Accurate and up to date;
- Held no longer than the required time;
- Accessible to the individual concerned, or individuals with parental responsibility;
- Surrounded by proper security;
- Disclosed only using the access to information procedure.

Our schools aims to ensure that all personal data collected about staff, pupils, parents, governors, visitors and other individuals is collected, stored and processed in accordance with the General Data Protection Regulation (GDPR) and the expected provisions of the Data Protection Act 2018 (DPA 2018) as set out in the Data Protection Bill. We have checked the requirements of the GDPR and the expected provisions of the DPA 2018 as set out in the Data protection Bill and are registered. For useful information and data protection registration go to www.ico.gov.uk.

Part 6: Further guidance

For all children, staff members and governors to enjoy privacy from gossip, for the school to be fair to all its community and for children and adults to have disciplinary matters dealt with according to the school's own procedures and out of the eye of the wider community, it is important that:-

- Staff do not discuss details of individual cases arising in staff meetings to any person without direct professional connection to and interest in the welfare and education of the individual concerned;
- No member of staff discusses an individual child's behaviour in the presence of another child in school;

- Staff do not enter into detailed discussion about a child's behaviour with other children or their parents;
- Governors, in particular those sitting on Discipline Committees, do not divulge details about individuals (be they staff, families or individual children) to any person outside of the meeting;
- Parents in school, working as volunteers do not report cases of poor behaviour or pupil discipline to other parents in the school. This allows teachers to deal with such matters in line with school policy;
- At full Governing body meetings matters such as pupil exclusion, personnel issues and personal details of any member of the school community will be dealt with in the Head Teacher's Report. This is not for the knowledge of persons outside the Governing body meeting. Minutes are minuted separately and minutes are not published;
- Staff performance management will be carried out privately. Targets for individuals, named lesson observation sheets and other performance data will be in the Head Teacher's office and electronic records will only be available from the Head Teacher's computer;
- Matters of Child Protection are made known to staff on a need to know basis;
- It is important that class teachers and support staff are aware of some confidential matters in order to support individuals. These staff will respect the sensitivity of such cases and not divulge information to people unconnected professionally with the individual concerned;
- When volunteers, such as parents, are working in classes, they do not discuss educational matters outside the classroom. For example, the specific use of teaching assistant time for particular pupils or groups of pupils, teaching assistants have different roles within a class, including the support of children with special educational needs, the provision and work with these children is for the teacher to discuss with the relevant parents or carers
- Volunteers, students and supply teachers are asked to read this policy before working in school.

Part 7 Communicating the policy

The policy will be communicated to all school staff, governors, parents/carers, partner agencies and relevant visitors.

The policy will be included in the staff induction handbook.

The policy will be listed on the school's publication scheme (Freedom of Information Act 2000). The flow chart for how to deal with confidential disclosures will be displayed on appropriate staff room notice board(s).

