



BROOK FIELD PRIMARY SCHOOL

Confidentiality Policy Statement

INTRODUCTION

It is the intention of Brook Field Primary School to ensure that all those using and working in the school can do so with confidence in our respect for confidentiality. Therefore this policy applies to all staff employed by the school, including temporary, voluntary and agency staff. It also applies to governors, volunteers, visitors on work experience placements and parent helpers.

Brook Field Primary 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, parents and staff.
- It empowers each pupil to exercise control over the choices that will affect their life.
- It prevents the need to deal with each disclosure as a crisis in isolation. (See guidance on school specific information 1 – Appendix 1).

A DEFINITION OF CONFIDENTIAL INFORMATION

Confidential information may take several forms:

1. Information held by the school about pupils, parents, carers, staff, governors and job applicants. Examples include personal contact details; employment related information; medical information.
2. Information that is shared by pupils, parents or carers in order to obtain assistance or explain their current circumstances. This may include medical information or details of a domestic situation.
3. School related information such as minutes, memos, budgetary or policy information.

These lists are not exhaustive but will extend to cover any other information of a sensitive nature relating to employees, pupils and others connected with the school and to the work of the school itself.

Information held by the school about pupils, parents, carers, staff, governors and job applicants.

Within the course of daily operation, information related to the school, or those connected to the school, may be requested by, or supplied by, or passed to a range of people.

This might include:

- internal colleagues (teachers, support staff, governors);
- colleagues in other schools;
- governors;
- trade unions/professional associations;
- partner organisations (LA, DfE, Teachers' Pensions);
- contractors/potential contractors;
- other external organisations;
- parents;
- pupils;
- the public;
- the press;

Confidential information can take various forms and be held and transmitted in a variety of ways, e.g.

- manual records (files);
- computerised records, memory sticks and cloud storage;
- written reports/minutes/agendas/file notes etc.;
- letters, memos, messages;
- telephone calls;
- face-to-face;
- email;
- internet.

The methods of acquiring information can also vary. Individuals and groups may become aware of confidential information in the following ways:

- access is gained as part of the employee's day to day work;
- information is supplied openly by an external third party;
- employees may inadvertently become aware of information;
- information may be disclosed.

Great care must be taken by both the recipient and the supplier of information to ensure that it is dealt with in a sensitive manner. In particular:

- Staff, governors and volunteers should be aware of their obligations under the GDPR not to divulge third party information without express permission. Where they are unsure what to do, the matter should be referred to the Head or, in their absence, the Deputy Head, for guidance.
- If someone requesting information is not known to staff, particularly in the case of telephone calls, their identity and the legitimacy of the request should be verified by calling them back. A person with genuine reasons for seeking information will never mind this safety measure.
- Wherever possible, a response to requests for information should only be given when the request has been made in writing e.g. employee references.
- The same principle applies when sending emails. Staff should always check that the information is going to the correct person and is marked confidential and/or encrypted where appropriate.
- Being known as an employee of the school may mean being asked for information, for instance, by parents about a member of staff who is off sick, or about an incident involving children. Although this can be awkward, parents must be informed that employees are unable to discuss confidential school matters. Persistent enquiries should be referred to the Head.

Information that is shared by pupils, parents or carers in order to obtain assistance or explain their current circumstances.

Brook Field Primary School aims to ensure that all parents and carers can share information in confidence which will only be used to enhance the welfare of the children at the school.

- We recognise our legal duty under section 175 Education Act 2002 to work with other agencies in safeguarding children and protecting them from "*significant harm*".
- All members of the school community (including non-teaching staff and governors) will at all times establish and maintain a safe and stimulating environment where children feel secure, are encouraged to talk to adults they can trust and are listened to.
- The staff encourage parents and children to feel free to talk about any concerns or worries which may affect educational progress. School should be seen as a safe place if there are any difficulties at home.
- Brook Field Primary School recognises that confidential discussions need to take place in a confidential environment. Public places such as the staffroom, corridors, carpark, the classroom and the playground are not, in general, confidential environments.

- Brook Field Primary School will provide opportunities for its pupils to access confidential support on school premises in the following ways: we will provide areas such as quiet rooms and the meeting room for discussions to take place; many classrooms (where appropriate) have a worries/concerns box where pupils can write a note to the teacher; staff will be approachable and listen to the children's concerns carefully; encourage the children to talk to teachers/TAs MDSAs etc.

LIMITS OF CONFIDENTIALITY

Staff, pupils, parents/carers and governors will be informed about the limits of confidentiality in Brook Field Primary School. Some issues have to be shared with other people/agencies e.g. child protection.

- The person making the disclosure (pupil, parent, etc) will be advised (wherever possible prior to a disclosure) what kinds of disclosure will require information to be shared, what will be done with the information and who else will have access to it.
- Members of staff will be made aware of who (if anyone) to inform in the event of different types of disclosures of a personal nature.
- Parents/carers and pupils have the right to view educational records upon written request. It is therefore not possible to guarantee the confidentiality of recorded information.

Responsibilities to parents/carers

- Members of staff are not legally obliged to inform parents/carers in many instances when personal information has been disclosed. (See Guidance on school specific information 3 – Appendix 1).
- Staff will encourage the pupil to inform and seek support from their parents/carers.
- In most cases information provided by a pupil will only be passed to their parents/carers with the pupil's consent. Where it is believed that the pupil may be at emotional or physical risk, or in breach of the law, staff will ensure that the pupil is aware of the risks they face.
- When the school chooses to inform parents/carers it will only be done if it is in the best interests of the child as determined by the Designated Safeguarding Lead or their Deputy.

Illegal activity

- Members of staff are not obliged to inform the police on most matters relating to illegal activity e.g. illegal drugs activity, assaults
- In the case of illegal activity, the school will discuss the possible consequences with the pupil and seek the course of action with the most positive outcomes for the pupil.

Any actions taken will be in line with guidance from Swindon Borough Council, where appropriate.

STORING AND COMMUNICATING CONFIDENTIAL INFORMATION

All information received in the course of employment, no matter how it is received, should be regarded as sensitive and confidential. While it is often necessary to share such information, in doing so, staff will consider the following key points:

- The nature of the information: how sensitive is it?
- The appropriate audience:
 - who does the information need to be shared with?
 - for what purpose?
 - who is the information being copied to? Why?
 - does restriction of access need to be passed on to your audience?
- The most appropriate method of communication:
 - verbal;
 - written;
 - Email;
 - in person.
- The potential consequences of inappropriate communication. It is also an individual's responsibility to safeguard sensitive information in their possession.

Particular responsibilities

1. Sensitive information should be kept secure.

- Filing cabinets are kept locked when unattended.
- Child protection information is kept in a separate, secure filing cabinet.
- Papers are not left lying around at home or in the car. If confidential materials or paperwork are taken off the school site, precautions must be taken to ensure that they are not accessible to third parties.
- Appropriate steps should be taken to keep track of files which are being worked on i.e. a record of the date taken and the recipient's name and position.
- The Head complies with the procedures for the storage and sharing of information relating to individuals' Performance Management Appraisal Reviews.
- Personal and case files are not normally be shared with third parties other than the Deputy Head. Exceptions may apply in the case of legal proceedings.
- Confidential paperwork will be disposed of by shredding it.
- If it is necessary to supply personal files through external mail, they will be sent by recorded delivery.
- Copies of emails will be stored securely.
- Sensitive information will not be left on desks or the photocopier/printer.
- Steps will be taken to ensure that private/confidential telephone calls/conversations are not overheard.
- Meetings where sensitive or confidential information is being discussed will be held in a secure environment.
- Personal data will not be used for training or demonstration purposes where fictitious data can be used.
- Staff will be alert to potential difficulties which may arise as a result of discussions outside work both with parents and with family/friends. If they need to discuss school matters for their own well-being this will be done with another member of school staff.
- Personal (e.g. home addresses and telephone numbers) and work-related information (e.g. salary details, medical details) relating to individuals, will not be disclosed to third parties except where the individual has given their express permission (e.g. where they are key holders) or where this is necessary to the particular work being undertaken, e.g. it is necessary for an individual to be written to.

2. Computer data should not be left exposed to others' view when unattended.

- Computers will be locked when unattended.
- Machines will be switched off over night.

3. Computer files should be kept securely.

- Passwords are used and these must not be disclosed to colleagues unless absolutely necessary. They are changed periodically.
- Sensitive data is not stored on public folders.
- Staff and governors are familiar with the security of Email/internet systems.
- Staff and governors use the school email service for all school related emails
- Access to individual's computers is restricted.
- Any user Ids and passwords used for the internet are kept confidential.
- All work carried out on a computer should be stored safely either in a personal directory, or onto an encrypted portable storage device such as a memory stick which should be kept securely
- Computer files are backed up regularly
- Anti-virus software is installed on all devices and is kept up to date

PROCESS FLOWCHARTS

Appendix 2a illustrates the process to be followed when handling a third party request for information.

Appendix 2b illustrates the process when handling a disclosure of confidential information.

RELATED POLICIES

Safeguarding & Child Protection

GDPR Data Protection

Freedom of Information

Supporting Children with Medical Conditions

APPENDIX 1 GUIDANCE ON SCHOOL SPECIFIC INFORMATION

1. 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 that there is physical violence between their parent/carers at home.
- A pupil talks to a member of staff about their knowledge of a crime e.g. shoplifting, assault

2. Exceptions to confidentiality

Likely exceptions requiring consideration by the school might include:

- Where there is risk of serious harm or threat to life
- Where a pupil needs urgent medical treatment
- Where potential or actual serious crime (e.g. murder, rape) is involved
- Where safeguarding national security is involved e.g. terrorism

This must be consistent with other policies e.g. supporting children with medical conditions

3. Age Related Considerations:

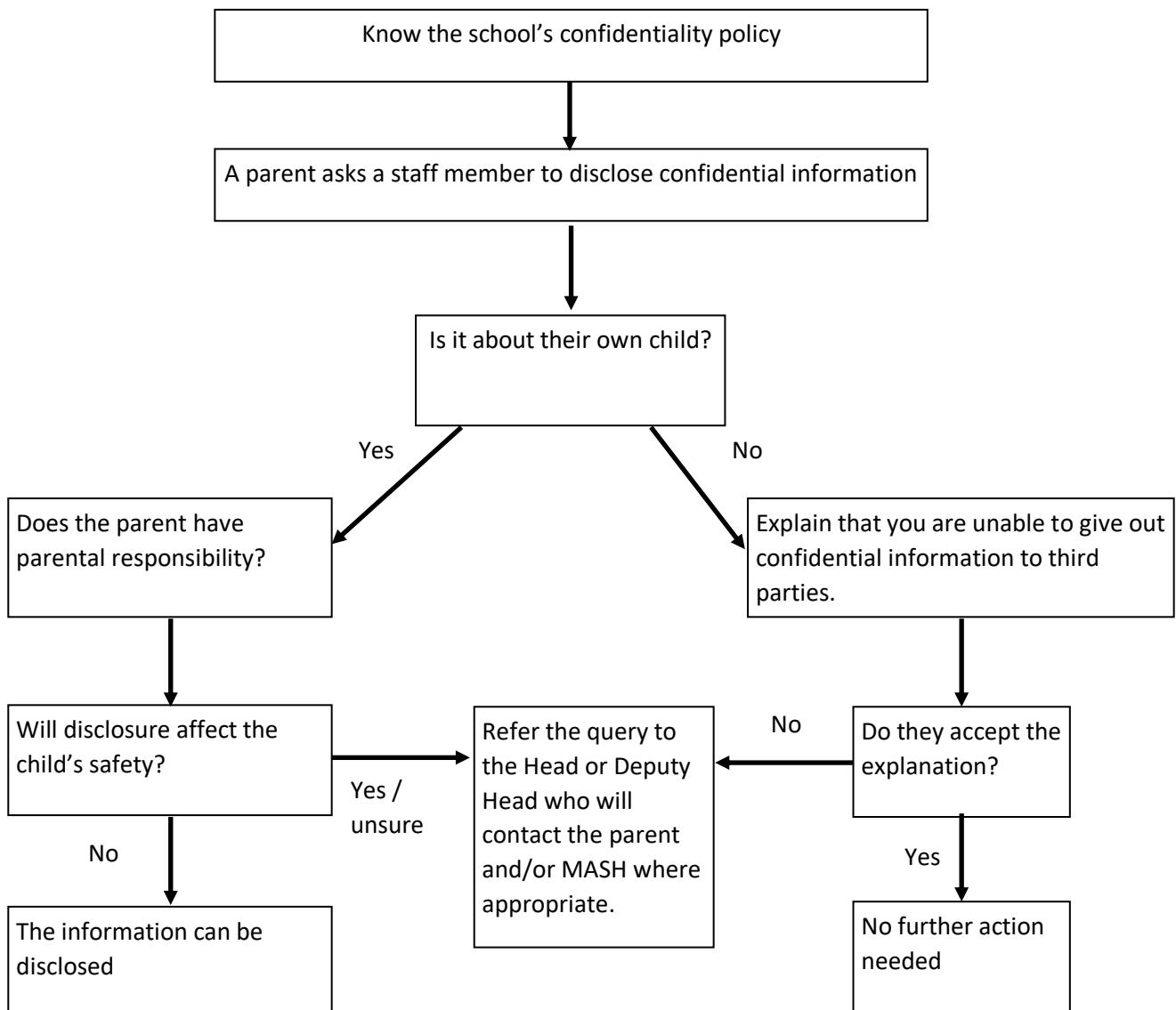
Confidentiality issues need to take into consideration the differing abilities of pupils to understand the consequences of their choices. This understanding depends on the level of maturity of each individual, but there may be some correlation to their age.

Before sharing any disclosed information with parents/carers, schools need to either obtain the consent of the pupil or consider the possible consequences of sharing the information, taking into account knowledge of family circumstances. This will need to be done on a case by case basis.

Each school will need to consider issues relating to confidentiality and the age/maturity of their pupils.

APPENDIX 2A

Flowchart To Show the Process for Handling A Third-Party Request for Information



APPENDIX 2B

Flowchart To Show the Process for Handling A Disclosure of Confidential Information

