

## **CONFIDENTIALITY POLICY**

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### **Legal requirements**

#### *Human Rights Act 1998*

1. This gives everyone the right to 'respect for his private and family life, his home and his correspondence,' unless this is overridden by the pupil interest, for reasons of child protection, for the protection of public safety, pupil order, health or morals or for the rights and freedoms of others.

#### *Data Protection Act 2018*

2. This applies to personal data of living, identified viable individuals, not anonymised data, and manual and electronic records. Schools need to be clear, when collecting personal data, about the purposes for which it will be used.

#### *Freedom of Information Act 2000*

3. This gives everyone the right to request any records a public body, including schools, holds about them. A school may withhold information it has if it is considered the information may damage the recipient, if disclosed. The school's data or record keeping policy should also cover the requirements of this act.

#### *Children's Act 2004*

4. The Children's Act 2004 sets out the following objectives under the agenda of 'every child matters':

- Children and Young People are mentally and emotionally healthy
- Children and Young People are sexually healthy
- Children and Young People choose not to take illegal drugs
- Children and Young People are safe from maltreatment, neglect, violence and sexual exploitation
- Children and Young People have security, stability and are cared for.

### **Aims of the confidentiality policy**

5. The aims of the confidentiality policy are:

- To provide clear guidance to all members of the school community on confidentiality
- To encourage children to talk to a trusted adult if they are having problems
- To ensure all adults working in school deal confidently with sensitive issues.

## **Moral and values framework**

6. The moral and values framework within which confidentiality is addressed should be consistent with the overarching aims of the school and should be easily translated into practice in terms of:

- The curriculum content
- The teaching methods
- The relationships within the school.

## **Specific issues**

7. All adults working in our school must:

- Implement the Child Protection Policy and Safeguarding Policy.
- Encourage children to be open with their parents or carers.
- Maintain professional standards of confidentiality about anything seen or heard within the school. Anyone who has a concern about a child, but does not feel they know the child's circumstances well enough to make a judgement about procedure, should discuss, at an appropriate place and time, their concerns with the child's class teacher who will have greater knowledge of the child.
- Adhere to and enforce the school's procedures for the taking of and use of photographs and video recording in school.
- Refuse to disclose a child's personal details over the telephone until the validity of the request has been ascertained via a returned call.
- Never give unconditional confidentiality to pupils. If an adult receives external information that leads them to believe there is a child protection issue, they could refer the information to the designated teacher for child protection at the school (see the Safeguarding Policy)
- Be sensitive when discussing an individual child's behaviour in the presence of another child.
- Not enter into detailed discussion about a child's behaviour or academic progress with other children or their parents.

8. Governors must:

- Not divulge details about individuals (be they staff, families or individual children) to any person outside any meeting.
- Be mindful that from time to time issues are discussed or brought to their attention about staff and children.
- Observe complete confidentiality when asked to do so by the governing body, especially in relation to matters concerning individual staff, children, parents or carers. Although decisions reached at governors' meetings are normally made public through the minutes or otherwise, the discussions on which decisions are based should be confidential.

9. Information held about children

- Information about children will be shared with parents or carers, but only about their child. Parents or carers will not have access to any other child's marks and progress grades at any time.
- However, parents or carers should be aware that information about their child will be shared with the receiving school, if and when they change school.
- All personal information about children, including social services records, are regarded as confidential. The headteacher will decide who will have access to information, and whether those concerned have access to all, or only selected information.
- Information regarding health reports, such as speech therapy, medical reports, SEND reports, SEND minutes of meetings, social care and health services, will be kept securely.

10. In the classroom:

- Ground rules and distancing techniques will be used where sensitive issues are to be addressed, e.g. drugs education, sex and relationships education.
- No adult should put pressure on children to disclose personal information and should discourage others from applying any such pressure.
- All adults will remind children that some information they share in the classroom may need to be shared with other adults for their protection.
- Children will be reassured that, if information has to be shared, they will be informed first and then supported appropriately.
- If a child and his or her parent or carer wish to highlight an issue to a peer group, e.g. bereavement, then this will be carried out sensitively by the class teacher or headteacher.

**Dissemination of the policy**

11. All staff members, governors and adults working in the school, including voluntary helpers, will receive a copy of this policy. A copy of this policy will be available on the school's website and in the school office.