



# Confidentiality policy

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## Confidentiality policy

AIM:

To ensure that all visitors and staff working on the school site are clear about the levels of confidentiality that they can offer the school community, and expect themselves.

OBJECTIVE:

For everyone to understand the varying levels of confidentiality which might be offered in different circumstances.

This policy has been developed as an outcome of the following documents:

- Sex and relationship guidance, DfES, July 2000, ref ISBN 1-84185-144-2, DfE 0116/2000
- What if you are worried a child is being abused: Children's Services guidance, DfES, March 2015
- Developing sex and relationship education in schools: guidance and training activity pack for school governors – Sex Education forum/National Children's Bureau (NCB), 2003, ISBN: 1904787029
- National Healthy School Status – a guide for schools, DH, September 2005, ref: 270390

This policy has been written to ensure that all visitors, staff and stakeholders working with the school:

- have a clear understanding of the school's procedures in relation to confidentiality and, therefore, ensures good practice throughout the school which all staff, including those from external agencies, parents and children can easily understand
- sets out clearly the boundaries of their legal and professional roles and responsibilities, eg child protection procedures, safeguarding children procedures
- recognises that different professionals can offer varying levels of confidentiality in different circumstances which may confuse the children and staff, and, therefore, clarifies the expectation of the school for those working in it
- understands that there may be times when parents/carers and families may wish to disclose information confidentially to the school. However, this policy clarifies the school's position in relation to such disclosures.

ALL SCHOOL STAFF MEMBERS AND GOVERNORS OF THE SCHOOL

It is recognised that there are occasions when students are worried about something and feel that they cannot talk about it with their parents/carers. This can result in enormous stress for the



student, which may impact on their education and health. Some students may feel that they can turn to their teachers and other members of staff for support and it is important to be as helpful as possible whilst recognising that there may be some potential difficulties in being supportive. In these circumstances, it is essential that the following policy is adhered to:

- When talking with children, it is important to be aware of, and maintain, professional boundaries. Whilst being supportive, distancing techniques should be used when appropriate
- It must be made clear to the student that you cannot offer unconditional confidentiality when they **first** begin to talk about something where confidentiality may be an issue
- Students should be warned that if there is a child protection issue/safeguarding issue where the student, or others, are likely to be at risk of significant harm you are under a duty of care to inform the school's Child Protection/ Safeguarding Liaison Officer who may have to involve other agencies. (See the school's safeguarding/child protection procedures for further advice on this aspect.) It is important that each member of staff deals with this sensitively and explains to the student that they must inform the appropriate people who can help the student, but that they will only tell those who need to know in order to help
- School staff can only offer confidentiality to students on issues which do not involve significant illegal activities, e.g. arson, drugs use. If the conversation begins to move to this kind of issue, the student must be warned that confidentiality cannot be guaranteed
- In all cases where it is felt that it has been necessary to break confidentiality with the student, they must be told (unless there is good reason not to tell them, e.g. risk of harm) and reassurance given that this was done to maintain his/her best interest
- When talking to students, it is important to encourage them to talk to their parents/carers about the issue that may be troubling them and support in doing this should be offered where appropriate
- Where appropriate, students should be made aware of specialist confidential services that may be available in the local community, eg the nurse service, doctor or Education Welfare Officer.

**Please also see the Student friendly version of this policy**

#### TRAINING

White Trees Independent School is committed to ensuring that all staff and stakeholders receive on-going training. This will include:

- INSET training
- Training offered by Essex Children's Services, Healthy Schools eg Sex and Relationship Education, Information Sharing and Assessment
- Induction of new staff



- Service Level Agreements with visiting agencies

#### THE SCHOOL NURSE AND SCHOOL-BASED HEALTH SERVICES

The Government has recognised that for some students, unless they are able to speak to someone confidentially away from their family, their health and well-being can be at risk. Health Services including doctors, school nurses and other appropriately trained members of the Health Services can offer confidential health services to people under the age of 16, providing they follow the Fraser Guidelines which require:

- the student understands the advice and has sufficient maturity to appreciate what is involved in terms of moral, legal, social and emotional implications for themselves
- they cannot be persuaded to tell their parents/carers or allow them to be informed
- if appropriate, they are likely to begin or continue to have sex
- the students physical or mental health is likely to suffer unless they receive advice or treatment
- it is in the students best interest to give advice or treatment

The requirement to offer a confidential service is within the professional code of practice for school nurses and other health service staff. The Government has also signed up to international legislation and charters which entitle young people to access health services. However, health professional, like everyone else, must inform appropriate services if they become aware of a child protection issue in discussion with a young person.

#### PARENTS AND FAMILIES

It is recognised that sometimes there may be family issues which might affect a child/ children and which the family will only disclose to the school if they are sure the information will be treated confidentially. The school will respect the wishes of the family and where it is felt necessary to share the information given, this will be discussed with the parent first unless a child is considered to be at immediate risk and/or there is an overriding child protection/safeguarding concern.

#### STAFF AND GOVERNORS AND OTHER STAKEHOLDERS

All staff and governors can expect that their personal situation and health issues will remain confidential unless:

- it impinges on the terms of their contract
- it endangers students or other members of staff



- there is a legal obligation to disclose such information
- it is necessary for legal proceedings
- despite the duty of confidence, the staff member's interest or the wider public interest justifies disclosure

The following policies are linked and supported by the confidentiality policy:

- The School's Anti-Bullying and Respect Policy
- Safeguarding Policy and Procedures
- Health and Safety
- Personal, Social and Health and Economic education (PSHE)
- Sex and Relationship Education (SRE)
- Personal Development Learning and SEN
- Drug and Alcohol Misuse

The school is committed to training all staff in issues appropriate to this policy, and its effective implementation.

- There is an on-going programme of training for all staff working on the school site
- Service Level Agreements with external agencies
- During the review of all school policies, amendments will be made to reflect the contents of the Confidentiality Policy
- The Confidentiality Policy is given to all new members of staff, students and professionals working in the school