



St. Peter's C.E. Junior School

Stilwell Close, Yateley, Hampshire GU46 6XH.

<i>Policy Number: C/6/May09</i>	<i>Date Agreed: 14th May 2009</i>
<i>Policy Title:</i> CONFIDENTIALITY POLICY	<i>Authorised By:</i> G.Weeks
<i>Area: Curriculum</i>	<i>Due for Review: May 2010</i>
<p><i>The Governing Body believes that fairness and consistency of judgement is essential to the operation of the school. All members of the school have equality of opportunity to achieve their full potential and will not be discriminated against because of age, disability, gender, sexual orientation, nationality, race, or religion. The Governing Body believes that the school always has to be aware of the potential for unconscious discrimination, to avoid assumptions about individual members of the school based on stereotypes and to use the teaching and learning arrangements actively to encourage everyone to achieve their full potential.</i></p> <p><i>All our policies are consistent with our duty of care to protect our pupils and to provide a learning environment which is safe and healthy.</i></p> <p><i>In all our dealings, we respect the strict code of confidentiality that underpins our school ethos.</i></p>	

The policy was written following local and national guidance and after discussion with staff and governors.

Aim:

This policy is in place to ensure that all members of staff working on the school site are clear about the levels of confidentiality that they can offer to the school community and expect themselves.

Objectives :

This policy is written in order that all staff are clear about the process for developing and reviewing this policy. It is also written so that everyone understands the varying levels of confidentiality which might be offered in different circumstances.

How the policy was developed.

The policy was developed following recommendations contained in the documents encouraging the development of confidentiality policies, outlined in Appendix 1. The policy is also good practice because:

- a clear, explicit and well publicised confidentiality policy ensures good practice throughout the school which staff, (including staff from external agencies), parents/carers and pupils can easily understand.
- the school needs to be clear about the boundaries of their legal and professional roles and responsibilities e.g. Child Protection/ safeguarding procedures.
- different professionals can offer varying levels of confidentiality in different circumstances which can confuse staff and pupils.
- sometimes parents/carers and families may wish to disclose information confidentially to the school. The school needs to be clear about its position.

Who does the policy apply to?

- All teaching and non-teaching staff employed by the school.
- All visiting staff working with young people on the school site during the school day.
- Depending on their contractual arrangements, staff from external agencies delivering services on the school site e.g. Youth Service and Voluntary Organisations.

Staff support and training:

- INSET training will be given to support staff in aspects of this policy.
- There will be training offered by Hampshire Children's Service e.g. Sex & Relationships Education, Information Sharing & Assessment
- Induction of new staff will include references to this policy.
- Service Level Agreements with visiting agencies will be underpinned by this policy.

All school staff members: Confidentiality and pupils

NB This applies to both teaching and non teaching members of staff, visiting staff and outside agencies

- We recognise that there are occasions when pupils are worried about something and feel that they cannot talk about it to their parents/carers. This can result in enormous stress for the individual which impacts on their education and health. Some pupils may feel that they can turn to teachers and other staff members for support and we want to be as helpful as we can whilst recognising that there may be some potential difficulties in being supportive.
- When talking with pupils, it is important to be aware of maintaining professional boundaries. Whilst being supportive, distancing techniques should be used when appropriate and pupils encouraged or supported to access the confidential services offered on the school site.
- **Unconditional confidentiality cannot be offered when a pupil first begins to talk about something where confidentiality may become an issue.**
- Pupils should be warned that if there is a child protection/ safeguarding issue where the pupil, or others, are likely to be at risk of significant harm, staff **are under a duty to inform the school's Child Protection/ Safeguarding Liaison Officer who may have to involve other agencies.** (Please refer to the school's child protection/ safeguarding procedures for further advice on this aspect). It is important that each member of staff deals with this sensitively and explains to the pupil that they must inform the appropriate people who can help the child, but that they will only tell those who need to know in order to help.
- School staff can only offer confidentiality to pupils on issues that do not involve significant illegal activities e.g. drug trafficking, arson, etc. If the conversation begins to move to this kind of issue, the pupil must be warned that confidentiality cannot be guaranteed.
- In all cases where it is felt that confidentiality with the pupil has to be broken, the pupil must be informed, (unless there is a good reason not to inform them e.g. risk of harm) and reassured that their best interests will be maintained.
- In talking with pupils, they need to be encouraged to talk to their parents/carers about the issue that may be troubling them and support in doing this should be offered where appropriate.
- Pupils should be made aware of the specialist confidential services that may be available on the school site or in the school community eg school nurse, counsellor, Connexions personal adviser, doctor or young people's drop-in service.

The school counsellor/welfare officer: Confidentiality and pupils

At St Peter's we have a member of staff allocated to be the counsellor. She can be approached by any pupil for a confidential discussion. Sometimes we may also refer pupils to the counsellor for discussions. The school counsellor **cannot offer confidentiality over a child protection/ safeguarding issue** but because sometimes it is necessary for a pupil to be able to talk about deep-seated troubling issues in order to help the pupil through their situation, **we do not require our counsellor to inform senior or pastoral staff about illegal activities unless there is a child protection/ safeguarding issue or other significant risk.**

The school nurse and school based health service: Confidentiality and pupils

The government has recognised that for some young people, unless they are able to speak to someone confidentially away from their family, their health and well-being can be at great risk. Health services (including doctors, our school nurse and health drop-in) can offer confidential health services (including contraception) to pupils under the age of 16 providing they follow the Fraser Guidelines which require:

- The young person 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 having sex.
- The young person's physical or mental health is likely to suffer unless they receive advice or treatment.
- It is in the young person's best interests 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 professionals like everyone else, must inform appropriate services if they become aware of a child protection/ safeguarding issue in discussions with a young person.

NB On site services must be very clear in their publicity about the levels of confidentiality offered e.g. Youth Support Centre or school based health service will offer more confidentiality than will be offered by school staff.

Peer support & mentoring projects: Confidentiality between pupils

The school has a buddy system and also peer mentors who act as friends and listeners to other children. These have an LSA overseer.

Pupils are not allowed to promise to keep secrets but all conversations between the mentor and mentee will be kept confidential except in the following circumstances:

- The mentor must tell either the Mentoring Co-ordinator or a teacher if a pupil discloses either any form of abuse or anything else that would make them worry about their safety.
- If the mentee is about to disclose this sort of information, the mentor must tell them that they will need to take them to a member of staff, possibly as an advocate to help them.

If the mentor has a concern about the content of a mentoring meeting, they are encouraged to discuss it with the mentoring Co-ordinator – it will not go further unless it is one of the above

Parents/carers and Families: Confidentiality and information about parents/carers & families

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

Staff and Governors: Confidentiality and information about staff and governors

At St Peter's, all staff can normally expect that their personal situations and health will remain confidential unless

- it impinges on their terms of contract or
- endangers pupils or other members of staff or
- there is a legal obligation to disclose such information or
- it is necessary for legal proceedings or
- despite the duty of confidence, the staff member's interest or the wider public interest justifies disclosure.

Linked policies:

This policy is linked to our other policies on Bullying, Child Protection, Health and Safety, PSHE, Personal Development Learning, Drug Abuse and Misuse, It is fundamental to our Performance management policy and takes account of equality of gender, race, ethnicity, culture, and religion.

Dissemination:

This policy will be widely publicised to all in the school community

- through the school prospectus
- through school newsletters
- with job details to applicants
- through posters and leaflets or agreements with other agencies working on the school site,
- through tutor groups assemblies and the school council
- on the school website
- by emphasising links to the to the school's anti-bullying policy and child protection/ safeguarding policy and procedures.

Appendix1

- ***Guidance to schools on Sex and Relationships Education*** Department for Education and Skills (Ref DfES 0116/2000)
- ***What to do if you are worried a child is being abused*** Department of Health (Ref 31553/"What to do if you're worried a child is being abused")
- ***Developing sex and relationships education in schools-guidance and training for school governors*** Sex Education Forum (National Children's Bureau, 2003)
- ***HIV in Schools – good practice guide to supporting children infected or affected by HIV*** (National Children's Bureau 2005)
- ***Sex and Relationships Education in Pupils Referral Units*** Sex Education Forum (National Children's Bureau 2004)
- ***National Healthy School Status- A Guide for Schools*** www.wiredforhealth.gov.uk August 2005
- ***Managing the support and reintegration of pregnant pupils and school age parents – Guidance for Schools*** from Hampshire Local Education Authority, November 2004
- ***Protocol for sharing information about children and young people*** (Hampshire Children & Young People's Strategic Partnership, February, 2005)
- ***Information Sharing: Practitioners' guide*** (DfES 2006)
- ***Information sharing: Case examples*** (DfES 2006)
- ***Information sharing: Further Guidance on Legal issues*** (DfES 2006)
- ***Hampshire Safeguarding Children Board Protocol for working with sexually active young people under the age of eighteen*** (2006 - see Appendix 4 of this document)