



# Confidentiality Policy

<b>Date the policy came into effect</b>	<b>February 2018</b>
<b>Date of next policy review</b>	<b>2020</b>
<b>Name of person responsible for this policy</b>	<b>Christopher Fulton</b>
<b>Issued to</b>	<b>Staff, governors, parents</b>
<b>Date of issue</b>	<b>February 2018</b>

Victoria Primary School Confidentiality Policy has been developed in accordance with the principles of the Human Rights Act 1998, The Data Protection Act 1998, The Freedom of Information Act 2000, Crime and Disorder Act 1998 S17, Children Act 1989 S17 and 47, Children Act 2004 S10, 11 and 12 and the welfare regulations required by Section 40 of the Child Care Act 2006.

This policy should be read in conjunction with the Safeguarding/ Child Protection Policy and procedures and disseminated to all members of the school community via the school website.

As Part of the ethos of our setting we take seriously our responsibility to ensure the protection, health, safety and well-being of both the children and young people entrusted to our care. We expect our staff to comply with this confidentiality policy and will treat breaches of confidentiality as a serious matter.

The member of staff who is responsible for implementation, monitoring and reviewing of the confidentiality policy in the setting is Mr Fulton.

### **Rationale and Statement on the Importance of Confidentiality:**

At VPS we believe that:

The safety, well-being and protection of the children in our setting are of paramount consideration in all decisions staff at this setting make about confidentiality. The appropriate sharing of information between setting staff is an essential element of ensuring the well-being of children and young people in our care. It is an essential part of the ethos of our setting that there is a clear and explicit policy on confidentiality so that children, young people, parents / carers and staff are able to seek help both within and outside the setting and the number of situations are minimised when personal information is shared to ensure pupils and staff are supported and safe. Parents / carers, children, young people and staff need to know the boundaries of confidentiality in order to feel safe and comfortable in discussing personal issues. The school's attitude to confidentiality is open and easily understood and everyone should be able to trust the boundaries of confidentiality operating within the setting. Everyone in the school needs to know that no one can offer absolute confidentiality. The school at all times puts the safety and welfare of the child first and any issue will be referred to the setting's designated person for child protection if necessary. The name of the designated person is Miss Minnis.

### **Definition of Confidentiality**

For the purpose of this policy the following definition of confidentiality will apply:  
"Discretion in keeping private information"

We aim to ensure in this setting that all parents and carers can share their information in the confidence that it will only be used to enhance the welfare of their children. The general rule in this setting is that staff should make clear that there are limits to confidentiality at the beginning of the conversation. These limits relate to ensuring children's safety and well-being.

## **Staff, Visitors and Volunteers Responsibilities**

All people working with children or young people in this setting will:

- Understand interest of the child is paramount
- At the outset inform child / parent / carers that they cannot offer complete confidentiality in circumstances when they are concerns for the child or other children or parents or staff members.
- Will explain to the child / parent / carer as appropriate at the outset openly and honestly what and how information will or could be shared and why and seek their agreement. The exception being when to do so would place the child, young person or others at increased risk of significant harm or an adult at risk of serious harm or if it would undermine the prevention detection or prosecution of a serious crime including where seeking consent might lead to interference with a potential investigation.
- Will ensure that the information they share is accurate and up to date and necessary for the purpose for which they are sharing it, shared only with those people who need to see it and shared securely. Unless s/he is already known a phone call received from professional seeking information must be verified before information is divulged by calling his or her back on an organisation telephone number and not a mobile phone.
- Inform any child / parent / carer / staff member when they have inadvertently made a disclosure that they may need to share the information with the designated child protection person who is Miss Minnis.
- At all times abide by the school's child protection policy. Be duty bound to act appropriately upon information not directly given to them and consult with the designated child protection person in the school.

## **Ground Rules in the VPS for Carers / Parents / Staff and Children**

In order to create the right sort of learning environment and to help safeguard people's rights to confidentiality the school believes it is best to establish a clear set of ground rules to work within whilst at the school. Ground rules will enable sensitive or controversial issues to be explored in a way that can minimise the risks of inappropriate disclosures being made.

- Listen to views and opinions.
- If we find out things about other children / staff / parents which are personal and private we won't talk about it unless a child, adult or young person is at risk of significant harm.
- If we are worried about some else's safety we will then talk to the school's designated person.
- When Confidentiality should be broken and Procedures for doing this see the child protection policy and if you are still concerned and unsure of whether the information should be passed on or other action taken you should speak to the designated teacher.

## **Children's Records:**

We keep two kinds of records on children attending our school:

### **1. Developmental Records**

These include observations of children in the school, samples of their work, summary developmental reports and records of their achievements.

They are usually kept in a locked cupboard and can be accessed and contributed to by staff, the child and the child's parents / carers.

## **2. Personal Records**

These include registration and admission forms, signed consents and correspondence concerning the child or family, reports or minutes concerning the child from other agencies, an ongoing record of relevant contact with parents and observations by staff on any confidential matter involving the child such as developmental concerns or child protection / welfare matters.

These confidential records are stored in a lockable file or cabinet and are kept secure by the person in charge in an office or other suitable safe place.

Parents have access in accordance with the access to records procedure to the files and records of their own children but do not have access to information about any other child. Parents do not, however, have an automatic right of access to child protection records .

### **Other Records:**

Issues to do with the employment of staff, whether paid or unpaid will remain confidential to the people directly involved with making personnel decisions. Student volunteers who are working or observing in the setting are advised of our confidentiality policy and required to respect it.

### **Monitoring and Review:**

All setting personnel and visiting staff will have access to a copy of this policy and will have the opportunity to consider and discuss the contents prior to approval of the of the BOG.

## **Roles and Responsibilities**

### **Pupils**

The school will ensure that pupils

- know that staff cannot offer unconditional confidentiality
- are reassured that their best interests will be maintained
- know that if confidentiality has to be broken, they will be informed first and then supported as appropriate
- are encouraged to talk to their parents or carers and are provided with support to do so
- are informed of alternative sources of confidential help, for example, the school nurse, counsellor, GP or local young person's advice centre
- are given the opportunity to agree ground rules for lessons where sensitive issues may arise. These ground rules should be behaviour focused.

### **Parents and Carers**

The school will ensure that parents and carers

- understand the school's confidentiality policy
- sign the Confidentiality agreement policy if they volunteer to help in school
- are encouraged to talk to their children and that opportunities to support them in this are built into school planning

### **Staff**

The school will ensure that staff understand

- the school's confidentiality policy
- that they cannot offer unconditional confidentiality to pupils
- the boundaries agreed by the school in relation to sensitive issues
- the agreed procedure for recording and reporting disclosures and the nature of access to this information

### **The Headteacher and Governors**

The Headteacher and Governors should monitor

- disclosures to staff within the agreed boundaries of the school. (If disclosures are frequent this may point to deficiencies in the pupils' awareness of, or confidence in, sources of confidential medical advice. This should be addressed in the school's PDMU programme of work)
- for consistency in implementation of the policy, ensuring boundaries are not being overstepped and that new staff receive information about this policy in their induction

The Governors of Victoria Primary School, recognise that they have access to information that is of a confidential nature. They further recognise that part of the process of educating children requires explicit confidentiality which all members of staff, (teaching and non-teaching) and all members of the Board of Governors are obliged to observe. Therefore they will ensure that:

1. All matters discussed at the Board of Governors are of the highest confidentiality and will not be discussed throughout the school or outside. This is first rule of acceptance of membership of the Board of Governors at Victoria Primary School
2. Members of staff, volunteers, teaching students, who have access to specific confidential information on children or their guardians/parents, do not discuss any details relating to a child/or a child's family outside the school or outside the context (usually the classroom) of the information.
3. Members of staff and volunteers, are warned about the dangers of being drawn into innocent conversation about a school matter or confidential matter regarding any of the children known to them in the school, within the school setting or outside the school.
4. Parents' details such as their address and telephone number will not be passed to any other person or agency without their permission. The only exceptions to this will be if:
  - a. a child is felt to be at risk or harm
  - b. if legally required to do so by the EA for purposes of registration, enrolment, transferring etc.
5. All potential volunteers and all paid members of staff must have a criminal records check carried out by the Access NI before they are in post. The results of this check will be made available to the Principal.
6. All information relating to children and families and staff will be kept in a secure place at all times. Some of the information is only accessible on the School's computer administrative system. In many cases there is no written evidence available.
7. All school staff will be aware of the existence of this policy and have access to it upon request.

### **Specialist Agency Involvement**

It is expected that

- outside agencies working with the school will work within the agreed policy
- outside the teaching situation, health professionals such as school nurses can give one-to-one advice or information to a pupil on a health-related matter

### **Boundaries**

The following has been agreed by school staff

- if there is any possibility of abuse, the school's child protection procedure should be followed
- if a pupil discloses information at an inappropriate time or place, the teacher should talk again individually to the pupil before the end of the school day
- if the teacher is unclear about the seriousness of the disclosure, it is important to try to clarify the issue with the Child Protection Designated member of staff or the Deputy Designated member of staff before any further action is taken

## **Recording and Reporting Confidential Information**

The Freedom of Information Act 2005 requires access to all written records.

“When it is considered that a child may be in danger...the public interest in disclosing information to protect the child may outweigh the public interest in maintaining confidentiality. If there is any conflict as to whether concerns about a child’s welfare should be shared, the needs of that child must come first.” (Common Law)

Detailed accurate secure written records of referrals and concerns need to be kept. Separate Child Protection records containing a chronology must be maintained. Appropriate transfer arrangements must be in place for if/when the child moves schools.

If a disclosure has been made, the member of staff should discuss this with the Child Protection designated member of staff or the deputy designated member of staff (see below). A detailed and accurate account of the disclosure must be made using the child’s words, chronology and other relevant information. The information will be kept in a separate file and the situation will be monitored. A referral will be made if necessary.

Access to this information will be determined by the Child Protection designated member of staff or the deputy designated member of staff.

**Designated Child Protection Officer:** Miss Minnis

**Deputy Designated Child Protection Officer:** Mr Fulton and Mrs Addis

**Governor for Child Protection:** Joanne Rodgers