

HOTHFIELD JUNIOR SCHOOL CONFIDENTIALITY POLICY

Rationale:

Hothfield Junior School seeks to put the child at the heart of the learning process and to provide a safe and secure learning environment. It is committed to developing creative and positive ways for the child's voice to be heard whilst recognising the responsibility to use, hold and safeguard information received. Sharing information unnecessarily is an erosion of trust. The school is mindful that it is placed in a position of trust by all stakeholders and there is an expectation that a professional approach will be used in all matters of confidentiality.

Aims:

- To protect the child at all times and to give all staff involved clear, unambiguous guidance as to their legal and professional roles and to ensure good practice throughout the school which is understood by pupils, parents/carers and staff.
- To foster an ethos of trust within the school.
- To provide consistent messages in school about handling information about children.
- To ensure that pupils and parents/carers know that school staff cannot offer unconditional confidentiality (verbally).
- To ensure that if there are any child protection issues, then the correct procedure is followed.
- To ensure that confidentiality is a whole school issue and that in lessons ground rules are set for the protection of all.
- To understand that health professionals are bound by different codes of conduct.
- To ensure that parents have a right of access to any records the school may hold on their child, but not to any other child that they do not have parental responsibility for.
- To ensure that there is equality of provision and access for all including rigorous monitoring of cultural, gender and special educational needs.
- To ensure that staff, parents and pupils are aware of the school's confidentiality policy and procedures.
- **This policy should be read in conjunction to the school's overall aims and Safeguarding, Behaviour & Care policy, Anti-Bullying, Restraint & Whistle Blowing policy.**

Guidelines:

Sharing information:

- Parents will have ready access to pupil files and records of their own child/ren but will not have access to information about any other child. Parents will not have access to any other child's books, marks or progress grades/levels.
- Information given by parents/carers to staff will only be passed to relevant adults immediately concerned with the child.
- Information about their child will be shared with the receiving school when they change school.
- Staff will only discuss individual children for the purpose of ensuring the holistic well-being of each child, and only with relevant persons involved.
- Addresses and telephone numbers of parents and children will not be passed on except in exceptional circumstances or to a receiving school.
- All personal information about children, including social services records, is regarded as confidential. It should be clearly understood by those who have access to it, and consideration given as to whether those concerned have access to all, or only some of the information.

Storage and publication of information:

Any social services, medical and personal information about a child is kept in a safe and secure place which cannot be accessed by individuals other than school staff. **At no time will staff keep pupil data on a memory sticks without it being encrypted or password protected.**

All children have the right to the same level of confidentiality irrespective of gender, race, religion, medical concerns and special educational needs. Individual children should not be able to be identified.

Information regarding health reports such as speech therapy, medical reports, SEN reports, SEN minutes of meetings and social services minutes of meetings and reports will be circulated in envelopes and once read are returned for secure filing. Any word processed documents need to be secured on the hard drive using a password protected means of access.

School email addresses are considered to be secure through the Bradford Learning Network. As such, children's details can be emailed when communicating to other addresses on the Bradford Learning Network. Children's details should not be emailed using other email addresses.

Individual health plans are kept with medication in a box in the child's classroom.

Child Protection:

- The named person for child protection is the Headteacher (Deputy is also nominated as a named person) and receives regular training. There is clear guidance for the handling of child protection incidents. All staff have training at least every three years on child protection issues (see safeguarding policy)
- There is clear guidance for procedures if a member of staff is accused of abuse (see Disciplinary Procedure for Staff Employed in School (found in Management Policies file)
- Staff are aware that effective sex and relationships education, which brings and understanding of what is and is not acceptable in a relationship, can lead to disclosure of a child protection issue.
- Staff are aware of the need to handle all issues about different types of families in a sensitive manner. Any intolerance about gender, faith, race, culture or sexuality is unacceptable.
- Parents/carers and children need to be aware that the school cannot guarantee total confidentiality and the school has a duty to report child protection issues.
- See also Appendix 1

Dealing with confidentiality in the classroom:

Clear ground rules are set for any classroom work such as circle time and other PSHCE sessions dealing with sensitive issues such as sex and relationship and drugs.

Photographs, videos and the internet:

Photographs of children are not used without parents/carers permission, especially in the press and internet. Children's names are not used with photographs on the internet but may be used by the press providing information has been given.

The school gives clear guidance to parents about use of cameras and videos during public school events. (see school information)

Staff, governors and other agents of the school need to be aware that they should on no account make reference to pupils on social network sites either explicitly or in a way that individual or groups of children can be identified.

Governors:

Governors are mindful that from time to time issues are discussed or brought to their attention about staff and children. All such papers are marked confidential. Governors must observe complete confidentiality when asked to do so by the governing body, especially in relation to matters concerning individual staff, pupils or parents. All confidential papers should be shredded by the school after use. Although decisions reached at governor's meetings are normally made public through minutes, the discussions on which decisions are based should be regarded as confidential. Governors should exercise the highest degree of prudence when discussions of potentially contentious issues arise.

Staff and students:

Issues to do with the employment of staff, whether paid or unpaid, will remain confidential to the individual people directly involved with making personal decisions.

Students, work experience students and adult helpers will be advised of our Confidentiality Policy and required to respect it.

Monitoring and Evaluation:

The policy will be reviewed as part of the school's monitoring cycle.

Conclusion:

Hothfield Junior School has a duty of care and responsibility towards pupils, parents/carers and staff. It also needs to work with a range of outside agencies and share information on a professional basis. The care and safety of the individual is the key issue behind this document.

Reviewed: December 2011 and approved by the Personnel Committee

Signed:

Date of next review:

Appendix 1

Gaining consent (see Safeguarding Policy):

Named Persons are requested to consider in each individual case whether it is possible to ask the consent of the parent before making a referral to social services. In many child protection cases, the Named Person may decide it is not appropriate to ask the parent's consent before making a referral. Listed below is a set of circumstances where it has been agreed ACPC that a professional may dispense with consent.

If seeking consent places the child at risk of 'Significant Harm'.

- When the referring agency has made a professional judgement that a child is at risk of 'Significant Harm' and seeking consent or the refusal of consent is likely to increase the risks to the child, or potentially compromises a child protection investigation.
- To prevent or aid detection of a crime.
- When an authorised worker from a child protection agency wishes to check the 'Child Protection Register' where there are child protection concerns.
- Where professional judgement indicates the need to share information to build up a picture, to indicate that a child is at risk of 'Significant Harm'.
- Where the child is deemed to be 'Gillick Competent' and is refusing consent (contrary to the wishes of their parent) and such refusal places the child at risk from 'Significant Harm'.

Where a Named Person makes a referral without gaining consent of the parent the reason for not doing so should be recorded on the EB19 Child Protection Form.

Telling the parent:

Where a named person decides not to ask the consent of the parent because of one of the reasons given above, the named person must consider whether it is safe and appropriate to tell the parent that a referral will be made. It is the general view across all ACPC agencies that professionals should tell the parent, however an exception to this rule is where a child has disclosed child sexual abuse. In the case of sexual abuse, the named person should seek advice from the child protection unit before speaking to the parents.

Appendix 2:

Legislation

Human Rights Act 1998: Gives everyone the right to 'respect for his/her private and family life, his/her home and his/her correspondence', unless this is overridden by the 'public interest'. E.g. for reasons of Child Protection, for the protection of public safety, public order, health or morals or for the rights and freedoms of others.

Data Protection Act 1998: Applies to personal data of living, identifiable individuals, not anonymised data; manual and electronic records. Schools need to be clear when collecting personal data, what purposes it will be used for and schools should have policies to clarify this to staff, pupils and parents.

Freedom of Information Act 2000: Amends the Data Protection Act. 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. Schools data or record keeping policy should also cover the requirements of this act. (See Freedom of Information Policy)