



## **WINWICK C.E. (Aided) PRIMARY SCHOOL**

# **Confidentiality Policy**

### **Introduction and Rationale**

Winwick Church of England Primary School recognises its legal duty under Section 175 Education Act 2002 to work with other agencies in safeguarding children and protecting them from "significant harm".

The school recognises that a clear confidentiality policy will encourage parents and children to talk freely about any concerns or worries which may affect emotional health and well-being and educational progress in the knowledge their privacy will be respected.

This school recognises the following benefits of working to a confidentiality policy:

- It highlights the importance of pupils being able to talk to adults in the school to share their problems in a safe and supportive environment.
- It safeguards the well-being of those involved in the disclosure of confidential information.
- It builds trust between pupils and staff.
- It prevents the need to deal with each disclosure as a crisis in isolation.

### **A Definition of Confidentiality**

Confidentiality is an understanding that any information shared with someone in trust can only be passed on to a third party with the agreement of the person disclosing it.

### **Limits to Confidentiality**

Staff, pupils, parents/carers will be informed about the limits of confidentiality in this school.

**Staff are required to pass on confidential information in the following circumstances:**

- Safeguarding.
- Where a pupil needs urgent medical treatment.

Parents/carers and pupils have the right to view their own educational records upon written request. It is therefore not possible to guarantee the confidentiality of recorded information (see - Recording of information Section 7).

## **Illegal activity**

We cannot condone 'illegal activity' or be a known partner. The Head teacher will be responsible for informing the police on most matters relating to illegal activity, e.g. illegal drugs activity, assaults, etc. In the case of illegal activity, the school will discuss the possible consequences with the pupil and parent and seek the course of action with the most positive outcomes for the pupil.

## **Guidelines**

### **Staff**

Staff will not discuss details of individual children to any person without a direct professional connection to, and interest in, the welfare and education of the individual concerned.

- No member of staff will discuss information relating to an individual child in the presence of another child in the school.
- Matters of safeguarding are made known to staff on a need to know basis.
- It is important that class teachers and support staff are aware of confidential matters in order to support individuals. These staff must respect the sensitivity of such cases and not divulge information to people unconnected professionally with the individual concerned.
- Guidelines for staff are set out in the staff and midday's assistant handbook which is made available to all staff before working in school as part of their induction process.

### **Governors**

At full Governing Body the Head teacher shall report under part two, confidential matters, the following: Pupil exclusion; number of referrals; personal issues; number of CAF (Common Assessment Framework) etc.

This is not for the knowledge of persons outside the Governing Body meeting. Minutes in Part 2 are minuted separately and the minutes are not published.

Governors, in particular those sitting on Discipline Committees, will not divulge detail about individuals (be they staff, families or individual children) to any person outside the meeting.

### **Volunteers**

Any volunteer working in school must maintain confidentiality and not discuss incidents in school or information about individual children. They will not report cases of poor behaviour or pupil discipline to other parents in school. They must also not discuss any matters relating to a child's education with others, as it is for the teacher to discuss this with relevant parents or carers.

Guidelines are provided to all volunteers working in school as part of their induction process.

The flow chart for how to deal with confidential disclosures will be displayed on appropriate staff room notice board.

All staff are under a contractual obligation to uphold the policy. Failure to comply with this policy may result in disciplinary procedures being followed.

### **Equality of Opportunity**

Staff may need to discuss an individual case or group. For instance it can support the inclusion of a child with Asperger's Syndrome or autism if their peers are made aware of the condition and so have some ideas what to expect. Similarly a child with visual impairment can be supported if his/her friends know how to look out for them on the playground. In such cases permission will be sought from the child and his/her parents or carers

### **Working with External Agencies**

Anyone working with pupils from the school particularly on sensitive areas of the curriculum, Sex Education, Racial awareness workshops etc, needs to be made aware of the school's confidentiality policy, for example the school nurse.

At the beginning of lessons dealing with potentially sensitive topics, for example Sex Education, school staff and staff from external agencies will establish that it is inappropriate to disclose personal information during the lesson. Ground rules need to be agreed which ensure individuals do not pressure one another to answer questions about their own experiences.

Staff will outline the sources of support available to any pupil who may wish to discuss the topics and/or their feelings further on a one-to-one basis. (E.g. Childline, local counselling services.)

### **Recording Information**

The school acknowledges that:

- Pupils and their parents/carers have a right to gain access to processed information upon written request.
- Agencies such as the Police and Children and Young People's Services may be able to get a court order to gain access to processed information, which the school deems confidential.

This can also include the Local Authority's legal department and insurers, as well as other solicitors, eg in custody cases.

Any information recorded about a pupil will be written in a way that assumes it will be read by either the subject or their parents/carers.

In order to comply with the Lord Chancellor's Code of Practice on the management of Records (issued under section 46 of the Freedom of Information Act 2000), any processed information will be stored in accordance with the Schools Record Management Systems.

This policy was agreed by all members of staff on

## **Review**

*The governing body reviews this policy bi-annually. The governors may, however, review the policy earlier than this, if the government introduces new regulations, or if the governing body receives recommendations on how the policy might be improved.*

Accepted by Governors on: \_\_\_\_\_

Signed by: \_\_\_\_\_ (Chair of Governors)

Review date: \_\_\_\_\_

**Policy Written: January 2014**

**Policy Reviewed: November 2016**