



## CONFIDENTIALITY POLICY

### Rationale

The school's Confidentiality Policy is designed to support all members of the school to work together in a secure and respectful environment so that every individual's and family's right to privacy is respected. Therefore, all staff and visitors are expected to work within the guidelines of this policy which conform to recent legislation and government guidelines.

We recognise our responsibilities relating to holding, using and safeguarding information received or gathered within the school. In practice this means:

- Making it clear that information is shared on a 'need to know' basis.
- Not discussing personal information relating to any of our stakeholders, i.e. those who are connected to the school, in a general way or where it may be overheard.
- Keeping all personal records confidential.
- Using teaching methods which protect confidentiality.

### RELATED LEGISLATION

**Human Rights Act 1998** Gives everyone the right to "respect for his private and family life, his home and his correspondence", unless this is overridden by 'public interest', eg 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, of the purposes for which it will be used and should have policies to clarify this to staff, pupils and parents/carers.

**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.

### Children's Act 2004

#### Practice

All information about individual stakeholders, however obtained, e.g. from personal records, through observation, through meetings, through situations that arise during class, playtime or outside of school, is private and will only be shared with those who have a need to know, i.e. those who need the information in their professional capacity.

Information which relates to any individual stakeholder or brings our school into disrepute will never be posted or shared online, through any means including all areas of social media, e.g. Facebook, Twitter. Staff, regular visitors and volunteers understand that this is a requirement both during and after their time at our school and confirm this through signing a statement of confidentiality. See Appendix 1.

Even when information appears to be widely known, it will not be assumed by those immediately involved that it is appropriate to discuss or share this information further.

All social services, medical and personal information will be held in a safe and secure place which cannot be accessed by individuals other than nominated school staff. It will be considered whether staff concerned have access to all, or only some, of the information.

Staff are always available to talk to both children and parents/carers about issues that are causing

concern. We encourage children to talk to parents/carers about issues and may, in some cases, support children to talk to their parents/carers. Discussions between children and the Learning Mentor are generally confidential. The Learning Mentor will make a professional judgement about how far she should share the information in the best interests of the child.

Parents/carers and children will be made aware that our school cannot guarantee total confidentiality and that we have a duty to report child protection issues. Any child protection disclosure will be shared with parents/carers before we inform the appropriate authorities unless we believe that this puts the child at greater risk or we are advised or instructed not to do so.

Data generated by our school will be anonymised where necessary to ensure confidentiality.

Photographs or video of children will not be used without parent/carer's permission and our policy on the use of images of children will be adhered to at all times.

We ensure that parents/carers have a right of access to any records the school may hold on their child, within legislative requirements. Parents/carers will not have access to any other child's books or assessment data at any time.

Only those identified on SIMS as having parental responsibility will be contacted in relation to their child. Should there be any concerns, these will be referred to the designated person for child protection before a parent/carer is contacted.

All requests for information, about our school or stakeholders, by an outside agency or the media will not be commented on by the person to whom the request was made but will be referred immediately to the headteacher.

## **Roles and Responsibilities**

### **Staff**

Personal information such as social services reports, speech therapy reports, medical reports, SEN reports, minutes of meetings etc. will be circulated, where necessary, in sealed envelopes and once read will be returned to the appropriate person for secure filing.

Correspondence to parents/carers relating to social services, medical and personal information will be handed directly to the parent/carer, not put in book bags.

The designated senior person and deputy designated senior person for Child Protection (Designated Safeguarding Lead) receive regular training. Child Protection procedures are understood by all staff and training is undertaken regularly.

Details of children are not to be disclosed to any parents other than those of the child concerned.

Information regarding a child's progress is given to the parent only by those who work directly with him/her.

Staff should feel that they can talk freely about children to their colleagues and be confident that what they say will not be repeated elsewhere unless there is good reason to do so.

Concerns about the performance of a colleague should only be discussed with the headteacher or deputy or, in the case of the headteacher, the chair of governors.

Staff may not pass confidential information to spouses/partners.

Any issue which staff have been asked to keep confidential, must remain confidential.

Clear ground rules will be set for any classroom work such as circle time and other PSHE sessions dealing with sensitive issues such as sex and relationship education and drug education. Staff are aware that effective sex and relationships education which brings an understanding of what is and is not acceptable in a relationship, can lead to the disclosure of a child protection issue. Strategies are in place for dealing with such disclosures. Staff will be proactive so children feel supported, but information is not unnecessarily revealed in a public arena.

### **Parent helpers and Volunteers**

All volunteer helpers are asked to sign a copy of our Statement of Confidentiality prior to starting in

school. Parents, particularly those who volunteer their time to help the school during the school day must not discuss what they see or hear with the wider community. Parents working in classrooms do so on the understanding that they support teaching staff and will not pass opinion on such matters as discipline or teaching styles outside of the school but will raise any genuine concerns with the appropriate person.

Parents need to acknowledge the fact that some circumstances may not be fully understood by them because the teacher may not be at liberty to discuss them, e.g. confidential aspects of the children's lives which may affect their behaviour or progress.

## **Governors**

The strategic role of the Governing body means it has to be informed of highly personal and confidential matters at each meeting. The Governors' Guide to the law states: 'how individual governors vote, and opinions by governors involving a named person which are in any way sensitive or critical, should always be regarded as confidential'. Although decisions reached at governors' meetings are normally made public through the minutes and otherwise, the discussions on which decisions are based will be regarded as confidential. Governors are made aware that: -

- No information about individual children's assessment and test results, other than that legally required, should be passed on to others.
- All papers relating to the governing body should be stored securely.
- Governors should not pass confidential information to spouses/partners.
- Email communication should only be sent to addresses that can only be accessed by the named governor (individual governors should inform the chair if their email address can be accessed by anyone other than themselves).
- Details of a headteacher's performance review should only be discussed by those governors directly involved in the review.
- Paperwork containing individual salaries remains confidential to the Resources Committee.
- Minutes of meetings are labelled as "draft" before they have been approved by the group and must not be shared beyond the Governing Body at this stage.
- Any issue which governors have been asked to keep confidential, should remain confidential.

If governors receive complaints about governors, the headteacher or a member of staff it they should first ascertain that the complainant has first attempted to resolve differences with the person concerned. On those rare occasions when complaints need to be made formal, written complaints should be passed directly to the chair (complaints re headteacher and governors) or head (complaints re staff), so all governors are available to act impartially as panel members at complaint hearings. It is for the complainant to decide whether or not their concern should become a formal complaint.

Governors are expected to comply with the highest standards of confidentiality and corporate responsibility when discussion of potentially contentious issues arises outside Governing Body meetings.

## **Policy review**

This policy will be revisited annually by the Governing Body, as part of its monitoring cycle, and reviewed, updated or amended if appropriate.

### *Linked policies:*

*Anti-bullying; Behaviour; Child Protection & safeguarding; Equality; Parental Consent forms;; Sex and Relationships Education; Whistleblowing; E-Safety; Acceptable Use;*



## APPENDIX 1

### Statement of Confidentiality

All members of staff, regular visitors and volunteers are required to sign the following statement relating to confidentiality.

I have read and understood the Confidentiality Policy and agree to adhere to this in my role at Woodlea Primary School, during my time at the school and after I have left. I recognise that I am in a position whereby, at certain times, I may have access to information concerning individual stakeholders.

I agree to only discuss information relating to Woodlea Primary School and its stakeholders on a 'need to know' basis, as defined in the policy.

I agree not to post or share information online through any means, including all areas of social media, e.g. Facebook, Twitter, which relates to any individual stakeholder or brings Woodlea Primary School into disrepute.

I agree to refer all requests for information by an outside agency or the media to the Headteacher.

Signed: ..... Date: .....

Name (please print):

.....

Role in school:

.....

Signature of school representative ..... Date: .....

*Please sign and date and hand to School Business Manager in the school office*