



The Warriner School **Confidentiality Policy**

Aims:

To ensure a climate of mutual trust in which:

- Students are enabled to discuss personal matters with staff or external agencies in school within clear guidelines
- Staff and external agencies are clear about the boundaries of their legal and professional roles and responsibilities as far as confidentiality is concerned
- Parents understand the process of guidance & counselling in the school and are clear about when the young person's right to confidentiality will be maintained and in what circumstances confidential information must be passed on.

Principles:

The Warriner School has established procedures for dealing with issues of confidentiality, which will be made available to parents, students, school staff and external agencies working on the school site. (Appendix 1)

The Warriner School believes that issues of confidentiality should be handled in ways that are consistent and protect the interests of students, staff, parents and other professionals. Confidential information within the Warriner Learning Centre in the school, will be shared within the Warriner Learning Centre team and with key pastoral staff, except for in exceptional circumstances.

Definition:

Confidential information is that given in confidence in the belief that the information disclosed will not be shared with anyone else. In practice, in the school setting, there are very few situations where absolute confidentiality can be offered. (Appendix 2)

In some cases limited confidentiality can be offered, meaning that the content of the conversation could be discussed with professional colleagues but the confider would not be identified.

The Warriner School Confidentiality Agreement will be read and signed by all those who have access to school's sensitive information or personal data. (Appendix 3)

Sharing of Information:

There are times when sharing information without consent is vital to ensure that children and young people get the services they require, for example for Safeguarding reasons. It is essential to protect children and young people from suffering harm from abuse or neglect and to prevent them from offending.

Information can be shared **without consent of parents and/or a child or young person** in the following circumstances:

- Children who have disclosed or show symptoms of abuse, exploitation or neglect.
- Children who have been admitted to hospital as a consequence of self-harm.
- Children who are believed to have self-poisoned (using legal or illegal medications/drugs/alcohol), caused a serious physical self-injury, or attempted suicide.
- Children who express suicidal intent and plan their suicide (suicidal ideation).
- Children who go missing and self-harm.

- Children whose self-harming is escalating (eg nos of incidents/seriousness).
- Where the professional's assessment is that the child's risk exceeds the school and/or the parents' capacity to manage and keep the child safe.

Monitoring and Evaluation

- The governing body will review this policy on a regular basis. They will seek evidence from all those involved in monitoring the working of the policy in practice.
- The DSL will review and monitor the policy with all relevant staff on a regular basis.

Related Policies / Policies

- Child Protection Policy
- Attendance Policy
- Student Discipline and Pupil Behaviour Policy
- Special Education Needs Policy
- Sex Education Policy
- Drugs Policy
- Health & Safety III
- Off-site Activities Policy
- Data Protection

Appendices

1. Principles for Successful Practice
2. What should I say? A suggested 'script' for members of staff
3. The Warriner School Confidentiality Agreement

Drafted: October 2019

By: Alex Greenhalgh, Assistant Headteacher, DSL

Next Review: November 2021

Approved by: Admissions Committee

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POLICY ON CONFIDENTIALITY - Appendix 1: Principles for Successful Practice:

(a) Parental Involvement

It is only in exceptional circumstances that schools should be in the position of having to handle information without parental knowledge. The young person's right to confidentiality will be upheld within the parameters outlined below. However, students will be encouraged to talk to their parents or carers and support will be given to enable them to do so if appropriate.

(b) Confidentiality in the Classroom Setting

In a classroom or lecture setting during the course of a lesson/education session given by a member of teaching staff or an outside visitor, e.g. School Health Nurse, careful thought should be given to the content of the lesson, setting the climate and establishing clear ground rules to ensure that confidential disclosures are not made at that time.

Setting clear ground rules and working agreements ensures a safe environment, reduces anxiety and embarrassment and minimises unconsidered, unintended personal disclosures. A key ground rule is that no personal questions will be asked.

(c) Confidentiality in a one to one Situation

- Members of staff cannot offer or guarantee students unconditional confidentiality.
- If faced with a student wanting to speak one to one, a member of school staff should be careful to explain the likely outcomes of any disclosure, who may need to be informed and how this would be done. This will help minimise situations where a young person makes a disclosure in the belief that it can remain confidential when it is school-policy that it cannot.
- Members of staff are not legally bound to inform parents or the Headteacher of any disclosure unless the member of staff suspects a child protection issue, in which case, the school's child protection procedures should be followed. The young person will be informed first and supported as appropriate.

(d) The School Health Nurse/Health Professional/ Early Help Workers and other Professionals

- School Health Nurses/Health Professionals/ Early Help Workers and other Professionals work within the boundaries of their professional conduct.
- School Health Nurses/Health Professionals/ Early Help Workers and other Professionals do not share information without the young person's consent.
- If the School Health Nurse/Health Professional/ Early Help worker or other Professional considers that there is a child protection issue, s/he will act within the Area Child Protection Guidance and will make the young person aware of this.

(e) Volunteer Youth Workers/ Mentors

- Volunteer Youth Workers/ Mentors provide confidential advice and support for young people.
- If a Volunteer Youth Worker/ Mentor considers that there is a child protection issues, s/he will follow the school's child protection procedures and will make the young person aware of this.

(f) School Counsellors

- School Counsellors provide confidential support for any student. They do not share information without the young person's consent.
- If a School Counsellor considers that there is a child protection issues, s/he will follow the school's child protection procedures and will make the young person aware of this.

Referrals to the School Health Nurse/ Health Professionals / Early Help Workers/ Other Professionals/ Volunteer Youth Workers or Mentors/ School Counsellors:

- The School Health Nurse will operate a weekly 'drop-in' service on the school site once per week and will also see students by appointment. All the appointments take place in the Warriner Learning Centre.
- Referrals to any of the services listed above can be made by any member of staff or parents on behalf of a young person via the school's Student Support Services or Pastoral Leaders.

(g) Preventing Radicalism & Extremism

• **Confidentiality**

Schools are an important source of support for pupils but will ensure that all staff (teaching, non-teaching and volunteers) understand the limits of confidentiality, balancing the desire to maintain confidentiality and support the young person with duty to safeguard and promote the welfare of the young person and others.

Local Safeguarding Children Board (LSCB) policies and procedures will be followed (See The Warriner safeguarding and child protection policy 2019). Staff cannot and should not promise total confidentiality. There are important reasons why personal and sensitive information needs to be shared in relation to Child Protection (e.g. when working with the police, referral to external agencies etc.) The Data Protection Act and Crime and Disorder Act all allow personal information to be shared if there is an over-riding public interest in the first instance or to prevent Crime and disorder in the second.

Policy on Confidentiality - Appendix 2

What Should I Say?

Being asked by a student if s/he can speak to you in confidence can be a difficult moment and it's vital to know what you must say to any student about their right to confidentiality before the meeting takes place.

The following example is taken from the document 'Confidentiality in Schools' used by School Health Nurses.

"What you say to me is confidential and will not be discussed with anybody else unless I have a concern that:

- *You will hurt yourself*
- *You will hurt somebody else*
- *Somebody is hurting you*

*In any of these cases I will need to talk to somebody else and I will discuss this with you **before** I do so"*

In a case where you feel you need further advice from another member of staff e.g. School Health Nurse, Head of Year, SENDCO or Designated Safeguarding Lead, this can be done without revealing the identity or identifying features of the student and you could say something along the lines of:

"I would like to discuss what you have told me with I can do this without giving away your identity. Can we arrange to meet again on..."

It may be that you feel the student needs more expert advice or information than you are able to give. The School Counsellor, the School Health Nurse and other External Professionals provide a confidential service on the school site.

Appendix 3

The Warriner School
Confidentiality Agreement

Audience:

This document is intended for all Staff, Temporary Volunteers, Supply Staff, Training Teachers, Invigilators and other parties who have access to information held on the school's Management Information System or associated Database.

Purpose:

This agreement must be signed by all those who have access to school's sensitive information or personal data. It sets out the requirements and responsibilities for those who have access to such information and ensures that all parties concerned, understand their confidentiality obligation.

Scope:

This document applies to all personal data and information you have access to in the course of your work at school. The relevant provision also applies after your relationship with the school has ended.

CONFIDENTIALITY AGREEMENT:

1. I hereby undertake not to use, nor disclose to any unauthorised person, any confidential information relating to or received from The Warriner School for any reason unless expressly authorised by the school, or required by law. I understand that this applies both during the term of my employment/voluntary work and after its termination.
2. Information may be classified as 'confidential' if the school would not release it in response to a request made under the Freedom of Information Act 2000. Information is also confidential information if it is clearly marked as such or by its very nature is evidently confidential. This includes, but is not limited to, financial information, and/or information held on staff or student personal files.
3. I understand that the use and disclosure of all information about living identifiable individuals is governed by the General Data Protection Regulations (GDPR, 2016) and the Data Protection Act (2018). I will not use or disclose any personal data I acquire during my work for the school.
4. I understand that I am required to keep all confidential and personal data securely, and undertake to follow all relevant local procedures in doing so.
5. I hereby undertake to ensure that all records provided or created for the purposes of this agreement, including any back-up records, are passed to the school contact or deleted as directed, once I have received confirmation that the work I was employed to do has been satisfactorily completed and all the required information has been provided in accordance with the school's wishes.

Signed: _____

Date:

Name: _____ (Print)

Address:
