

Confidentiality policy

This guidance has been produced by the Healthy Schools Team to help schools develop their confidentiality policy, which it is strongly recommended that all schools should have.

Please read this guidance carefully. It is entirely up to you whether you adopt this guidance or seek a policy from another source.

Sections marked in italics are those which you should particularly check and personalise according to your school's ethos and procedures, although there may be other parts that you also wish to adapt.

Statement on confidentiality

All staff, external agencies/visitors working with pupils as part of the curriculum or the school's pastoral support procedures, pupils and parents should be made aware of this policy. *It is of particular importance to staff involved with the personal, social and health education programme (PSHE), including sex and relationships education (SRE) and drug education.* It sets out guidance for all staff about pupil information that they can regard as confidential and that which they cannot. Any external agencies/visitors to the school who are teaching or working with groups of pupils must also abide by this policy

Procedures for confidentiality within the school

1. Any information that a pupil discloses to a member of staff or visitor should not be passed on to other colleagues *indiscriminately but should only be passed on on a "need to know basis"*.
2. Members of staff should not offer pupils, or their parents, blanket or unconditional confidentiality.
3. Any information concerning a pupil's behavior or conduct that is likely to cause harm to themselves or to others should be passed on to *the head teacher and/or other agencies.*
4. *Every school should make known to every parent and child, (if of sufficient age and maturity to understand), its confidentiality policy and it should be made clear when and with whom information will be shared.*
 - *In primary schools you should consider including informing pupils about the confidentiality policy at an appropriate age, but certainly it should be introduced as part of the PSHE programme during Key Stage 2, linked to the age and maturity of classes, groups and individual pupils.*
 - *In secondary schools you should include informing and reminding pupils about the confidentiality policy at appropriate times throughout their schooling. This might be as part of the PSHE programme at the start of Y7, towards the end of Y8 or start of Y9 and again at the start of Y10. This may well involve whole classes, groups and individual pupils.*
 - *Explain how parents will be informed about or have access to the confidentiality policy.*

5. When embarking on a lesson, or a programme of lessons, that may well touch on sensitive and/or controversial issues teachers should clarify with pupils the issue of confidentiality. *These lessons will not exclusively be in PSHE but might also occur in English, science and/or other subjects.* An unrealistic confidentiality agreement should not be offered to pupils. The classroom is a public place and confidentiality cannot be offered. However, teachers should establish ground rules with their teaching groups in order to avoid inappropriate questions and answers in class or in group sessions which may lead to personal disclosures. *Teachers should ensure that pupils understand these rules when working with other staff and external contributors and visitors. Staff should be able to get advice and support on ground rules and distancing techniques from the PSHE Co-coordinator in the school.*
6. Teachers need to be aware that effective sex and relationship education, which brings an understanding of what is and is not acceptable in a relationship, can lead to disclosure of a child protection issue. *If a personal disclosure is made, a teacher should explain that such information can, and should, be kept confidential within the classroom but, that some information may need to be passed on to colleagues, and may well be in the best interests of a pupil to do so.*
7. Where a pupil discloses information about physical or sexual abuse, neglect or emotional abuse, the member of staff or visitor must follow the Local Safeguarding Children Board's (LSCB) procedures and pass this information on to the designated teacher.
8. LSCB guidelines should be followed in respect of cases concerning child protection. If someone believes that a child may be suffering, or may be at risk of suffering significant harm, then he/she should always refer his/her concerns to the Social Services department. *In a school this should be done via the designated teacher.* The school will seek, in general, to discuss any concerns with the family and where possible, seek their agreement to making referrals to Social Services. However, this should only be done where such discussion and agreement-seeking will not place a child at increased risk of significant harm.
9. *If such disclosed information is to be passed on the pupil should be told of this, know who the information will be passed on to and why and who else in the school, or externally will have access to the information. The pupil should also be reassured that they will be offered appropriate, ongoing support. However, if this will prejudice the welfare of the child, or hamper an investigation under Section 43 or 47 of the Children's Act, the situation should be discussed with Social Services and/or the legal section should be consulted.*
10. *In the case of illegal activity of a non-child protection nature, any action that the school takes will always be in the best interests of the pupil. This does not always mean that the police will be informed. In such circumstances the City Council's legal department can be consulted, as can the school's police liaison officer. Hypothetical situations are best discussed with the police liaison officer before they occur rather than as they happen.*
11. Some external agencies may be working in the school offering specific advice and support directly to individual pupils. If this is the case their professional code of confidentiality must be shared with the school and any deviation from the school's

policy must be agreed formally with the school and shared with the pupils concerned. Confidentiality must not be permitted where there are child protection concerns. *Parents must also be informed that such agencies are working in the school, or using the school's premises to make contact with pupils at lunch-times and/or after school, to offer them professional advice and support on a range of issues. Parents should know when these external agencies are providing pupils with an additional service that is not part of the school's curriculum or its extra-curricular activities and that they will not be bound by the school's confidentiality policy but by their own professional codes on confidentiality.*

12. If such a visitor is working in the school and following a different code of confidentiality in line with their professional protocols, members of staff may wish to refer pupils to them before they disclose information in order to maintain pupil confidentiality. *Pupils and parents need to be aware of and understand any referral procedures related to his within the school.*
13. *Members of staff are not obliged to pass on information about pupils to their parents. However, it is only in the most exceptional circumstances that a school would be in the position of having to handle information without parental knowledge. The reasons for not informing the parents should be recorded in writing. If a teacher believes a pupil to be in moral or physical risk, or in breach of the law, they must ensure that the pupil is aware of the risks and encourage her/him to tell her/his parents and seek support from them. The headteacher or a senior member of staff should always be informed before parents are contacted.*
14. Pupils should also be informed about where they might seek confidential help e.g. *the school nurse, other local advice and support services, the Youth Service Counselling Unit, their GP.*

Monitoring and evaluation

This policy will be monitored by _____ on a regular basis. (State how often this will be done and what methods will be used).

An evaluation report will be presented to the governors each (state how often).

Name and role of the person(s) responsible for the policy, its implementation and the monitoring of its effectiveness.

Name and role of any appropriate link governor.

Policy approved by governors _____ date

Policy to be reviewed _____ date