

WEDNESFIELD HIGH SPECIALIST ENGINEERING ACADEMY

CONFIDENTIALITY POLICY

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Mrs Claire Gilbert	1		October 2017

Policy adopted by the LAB of:		Date:	
Signed by the Chair of the LAB:		Print:	

Principles

At Wednesfield High Specialist Engineering Academy we believe that:

- The safety, well-being and protection of our students are the paramount considerations in all decisions staff at this academy make about confidentiality. The appropriate sharing of information between academy staff is an essential element in ensuring our students' well-being and safety.
- It is an essential part of the ethos of our academy that trust is established to enable students, staff and parents/carers to seek help both within and outside the academy.
- Students, parents/carers, Local Governing Board members and staff need to know the boundaries of confidentiality in order to feel safe and comfortable discussing personal issues and concerns, including sex and relationships.
- The academy's attitude to confidentiality is easily understood and everyone should be able to trust the boundaries of confidentiality operating within the academy.
- Issues concerning personal information including sex and relationships and other personal matters can arise at any time.
- Everyone in the academy community needs to know that no-one can offer absolute confidentiality.
- Everyone in the academy community needs to know the limits of confidentiality that can be offered by individuals within the academy community so they can make informed decisions about the most appropriate person to talk to about any health, sex and relationship, safeguarding or other personal issues they want to discuss.

This policy guides academy staff and visitors on the policy and procedures surrounding confidentiality.

The Confidentiality Policy has the following benefits, it:

- Promotes a supportive and accepting ethos within the academy.
- Safeguards the wellbeing of students.
- Builds trust between students and staff.
- Empowers students to exercise control over their situation and voice their concerns.
- Prevents the academy dealing with each disclosure in isolation.

1. Legal Framework

1.1 This policy will have consideration for and be in compliance with the following legislation:

- The Education Act 2002 Section 175
- The Crime and Disorder Act 1998 Section 115
- Data Protection Act 1998
- The Human Rights Act 1998 Article 8
- The common Law of Confidence
- The Freedom of Information Act 2000

1.2 This policy is intended to be used in conjunction with the following academy policies:

- Data Protection
- Safeguarding
- Female Genital Mutilation
- Anti-bullying
- Whistleblowing

2. Definitions

2.1 Confidentiality

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

2.2 Disclosure

Within this policy, a 'disclosure' is the sharing of any private information. It does not solely relate to child protection issues.

2.3 Limited Confidentiality

Disclosure of the content of a conversation may be discussed with professional colleagues, but the confider would not be identified except in pre-determined circumstances.

2.4 Designated Safeguarding Officer

The designated Safeguarding Officer is a designated staff member responsible for ensuring the academy's Child Protection Policy is implemented by the entire academy community and ensures the wellbeing and protection of students in the academy. The designated Safeguarding Officer is Mrs Mcloughlin.

3. Policy Application

3.1 The policy deals with personal information that may be divulged during the course of an academy day. It is not meant to deal with certain extreme situations where there is an urgent need for the disclosure of information to relevant bodies.

3.2 In extreme situations, such as medical emergencies, staff members should pass on information as necessary for the wellbeing of the child.

4. Personal Disclosures

4.1 Fundamentally, all information about individual children is private and should only be shared with staff members who have a legitimate need to know.

5. The Limits of Confidentiality

5.1 In practice, there are few situations where absolute confidentiality can be offered. The academy aims to strike a balance between confidentiality and trust, and ensuring the safety, wellbeing and protection of our students.

- 5.2 In almost all cases of disclosure, limited confidentiality is on offer.
- 5.3 The professional judgement of a teacher, counsellor or health professional is vital when considering whether to inform a child that a disclosure may be made in confidence and whether such confidence could remain having heard the information.

6. Classroom Confidentiality

- 6.1 It should be made clear to students that the classroom is not a place to disclose confidential, personal information. Students should be aware that a member of staff is always available to talk to in private when needed.
- 6.2 If a visitor to the classroom is contributing to the lesson, such as an education programme or healthcare professional, they must work within the same boundaries of confidentiality as the teacher.

7. One-to-One Disclosures

- 7.1 Staff members should make it clear that they may have to pass on some information if they believe the child is at risk.
- 7.2 The following introduction should be used to make the situation clear to the student: “You will be supported with any problems you may share with me but if, in my opinion, you have been or are at risk from yourself (self-harm) or from others or are involved in anything illegal, we may have to share this information with others who can help.”
- 7.3 When concerns for a child or young person come to the attention of staff, for example, through observation of behaviour or injuries or disclosure, however insignificant this might appear to be, the member of staff should discuss this with the designated Safeguarding Officer as soon as possible.
- 7.4 More serious concerns must be reported immediately to ensure that any intervention necessary to protect the child is accessed as early as possible. Please see the academy Child Protection and Safeguarding Policy for further information.

8. Disclosures to a Health Professional

- 8.1 Health professionals, such as the academy nurse, may give confidential information to students, provided they are competent to do so and follow the Fraser Guidelines (a set of guidelines on giving medical advice to under 16s).
- 8.2 The academy nurse is skilled in discussing issues and possible actions with young people. On a need to know basis, the academy nurse may share information with appropriate staff in the academy to enable improved support for students.

9. Breaking Confidentiality

- 9.1 When confidentiality must be broken because a child may be at risk of harm, in accordance with our Child Protection and Safeguarding Policy, the academy will ensure the following:

- Children are told when the information has been passed on.
- Children are kept informed about what will be done with the information.
- To alleviate their fears about everyone knowing, children are told exactly who their information has been passed on to.

9.2 In this academy, the Safeguarding Officer is to be informed of all incidents regarding child protection concerns, (the Safeguarding Officer will inform the Headteacher). Staff members are contractually obliged to immediately inform the Safeguarding Officer. In her absence staff must contact the Assistant Headteacher – Personal Development, Behaviour and Welfare.

9.3 Staff members or the Headteacher are not obliged to inform the Police on most matters relating to illegal activity such as illegal drugs or assaults. These should be assessed on a case-by-case basis with the support of the Safeguarding Officer and Team.

9.4 Staff members are not permitted to pass on personal information about students indiscriminately.

10. Guidance for Teaching Staff

10.1 Academy staff must not promise confidentiality. Students do not have the right to expect the incidents will not be reported to parents or carers and may not, unless made an explicit promise, assume that the information will not be passed on to a relevant body. No member of the academy staff should give such a promise.

10.2 The safety and protection of the student is the paramount consideration in all confidentiality decisions.

10.3 Staff members are not obliged to break confidentiality unless there is a child protection concern.

10.4 Staff members are encouraged to share their concerns about students, in a professional and supportive way with relevant colleagues.

10.5 In extreme cases, staff in breach of this policy may face disciplinary action, if it is deemed that confidential information was passed on to a third party without reasonable cause.

10.6 The following principles will be adhered to:

- Personal matters are discussed in an appropriate time and place.
- A child with concerns is spoken to in confidence as soon as possible.
- Where there are child protection concerns, the child is always spoken to in confidence before the end of the academy day.
- A child is told, prior to disclosures, that a staff member cannot guarantee confidentiality if they think a child may hurt themselves, hurt someone else or is being hurt by others.
- The child will not be interrogated or asked leading questions.
- A child will not be placed in the position of having to repeat eh disclosure to several people.
- The child will be informed before information is shared.
- Where possible, the child is told to confide in their parents or carers.

11. Guidance for Non-Teaching Staff and Volunteers

- 11.1 All non-teaching staff and volunteers are expected to report disclosures of a concerning personal nature to the designated Safeguarding Officer as soon as possible and in an appropriate setting.
- 11.2 The designated Safeguarding Officer will then decide on what further action to take.

12. External Visitors

- 12.1 All external visitors are made aware of the Confidentiality Policy and work within its limits when interacting with students.
- 12.2 Healthcare professionals will work within their own codes of confidentiality when they deliver their services within the academy.

13. Support for Academy Staff

- 13.1 Staff members may find themselves dealing with highly personal issues and potentially upsetting disclosures. Staff members are encouraged to ask for help if they are unsure what to do in any situation. The academy has access to several agencies that can provide advice and support. As a team, the academy community can ensure the wellbeing, happiness and protection of our students.

14. Informing Parents and Carers

- 14.1 The academy will work with parents and carers to create a partnership of trust. We endeavour to inform parents and carers of their child's progress at the academy and any concerns regarding progress and behaviour.
- 14.2 Where a child discusses a personal matter with staff, they will be encouraged to share the information with their parents, unless there is a child protection risk associated.
- 14.3 Where a member of staff believes a child protection risk is posed in regards to the family of the child, following a disclosure, the member of staff will talk to the Safeguarding Officer and the Local Advisory Designated Officer.

15. Onward Referral

- 15.1 The designated Safeguarding Officer is responsible for referring students to the various agencies and designated multi-agency support.

16. Records and Processed Data

- 16.1 All data will be processed and held in line with the academy's Data Protection Policy.

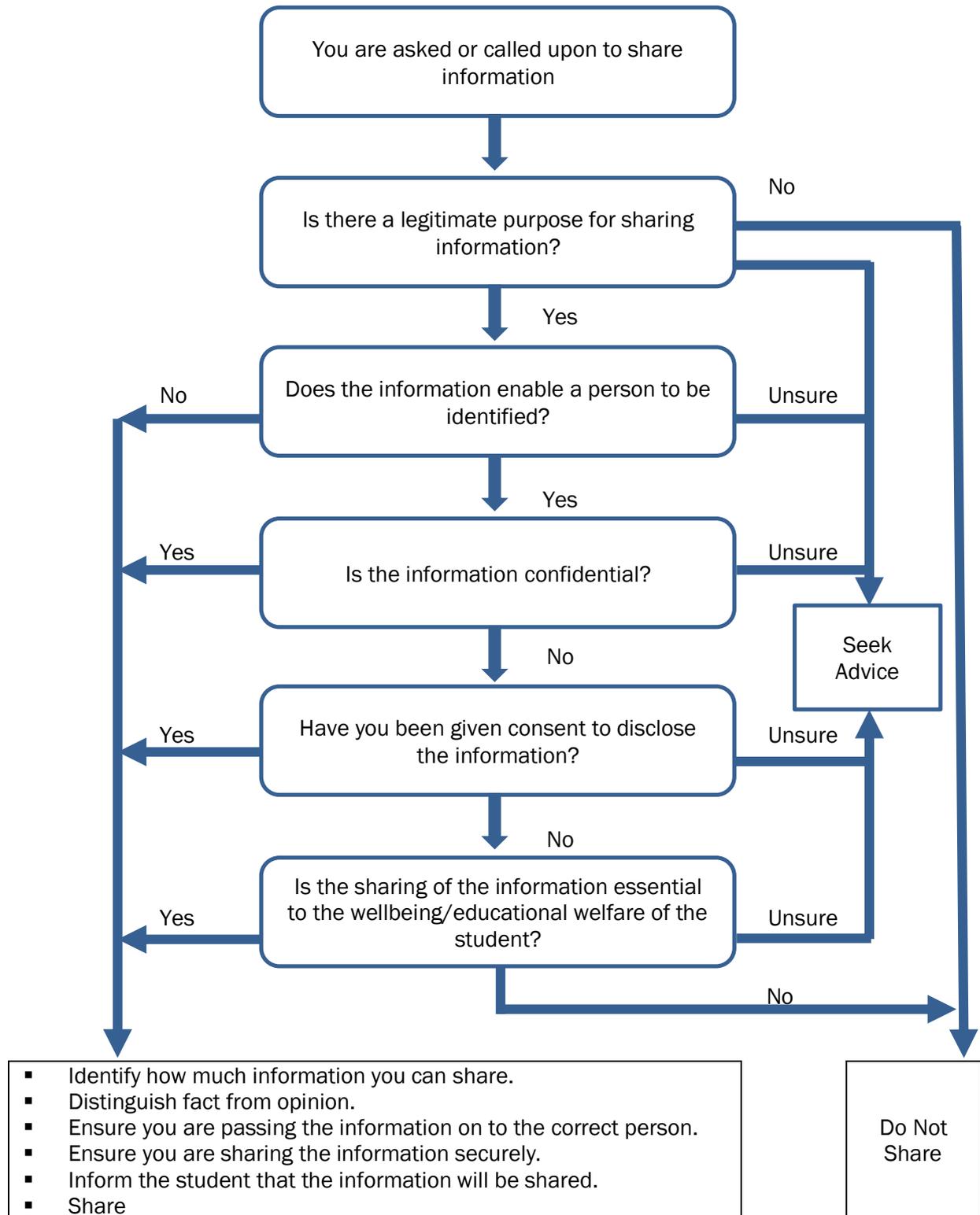
17. Dissemination of Policy

- 17.1 All parents and carers are made aware of the academy's Confidentiality Policy and informed that a copy can be viewed on the academy website.
- 17.2 Parents and carers are made aware that the academy cannot offer complete confidentiality if they deem a child is at risk from harm.

18. Monitoring and Review

- 18.1 This policy is monitored for effectiveness by the Headteacher and is reviewed every two years or where necessary in light of changes to the law or statutory guidance.

APPENDIX 1 – Information Sharing



- Identify how much information you can share.
- Distinguish fact from opinion.
- Ensure you are passing the information on to the correct person.
- Ensure you are sharing the information securely.
- Inform the student that the information will be shared.
- Share

Do Not Share

- Notes**
- If there are child protection concerns, follow the relevant procedures without delay.
 - Always seek advice if you are unsure whether to share information.

