



Confidentiality Policy

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Holder:	The Headteacher
Committee Responsible:	Full Governors’
Next Review Date:	July 2019

Rationale:

All pupils at Grange Park School have a diagnosis of Autism Spectrum Condition. This impacts on their language development, their social interaction and their flexibility to cope with change. Pupils may have a confused concept about relationships and interpersonal boundaries. This places them in a vulnerable position.

The safety, wellbeing and protection of our pupils is the paramount consideration in all decisions staff at this school make about confidentiality. The appropriate sharing of information between school staff is an essential element in ensuring our pupils’ well-being and safety.

It is an essential part of the ethos of our school that trust is established to enable pupils, staff, and parents/carers to seek help both within and outside the school and minimise the number of situations when personal information is shared to ensure pupils and staff are supported and safe.

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Pupils, parents/carers and staff need to know the boundaries of confidentiality in order to feel safe and comfortable in discussing personal issues and concerns, including sex and relationships.

The school's attitude to confidentiality is open and easily understood and everyone should be able to trust the boundaries of confidentiality operating within the school.

Issues concerning personal information including sex and relationships and other personal matters can arise at any time.

Everyone in the school community needs to know that no one can offer absolute confidentiality.

Everyone in the school community needs to know the limits of confidentiality that can be offered by individuals within the school community so they can make informed decisions about the most appropriate person to talk to about any health, sex and relationship or other personal issue they want to discuss.

Definition of Confidentiality

The dictionary definition of confidential is "something which is spoken or given in confidence; private, entrusted with another's secret affairs".

When speaking confidentially to someone, the confider has the belief that the confidant will not discuss the content of the conversation with another. The confider is asking for the content of the conversation to be kept secret. Anyone offering absolute confidentiality to someone else would be offering to keep the content of his or her conversation completely secret and discuss it with no one.

In practice, there are few situations where absolute confidentiality is offered in school. We have tried to strike a balance between ensuring the safety, well-being and protection of our pupils and staff, ensuring there is an ethos of trust where pupils and staff can ask for help when they need it and ensuring that when it is essential to share personal information child protection issues and good practice is followed.

This means that in most cases what is on offer is limited confidentiality. Disclosure of the content of a conversation could be discussed with professional colleagues but the confider would not be identified except in certain circumstances.

The general rule is that staff should make clear that there are limits to confidentiality, at the beginning of the conversation. These limits relate to ensuring children's safety and well-being. The pupil will be informed when a confidence has to be broken for this reason and will be encouraged to do this for themselves whenever this is possible.

Different levels of confidentiality are appropriate for different circumstances

- 1. In the classroom in the course of a lesson given by a member of teaching staff or an outside visitor, including health professionals.**

Careful thought needs to be given to the content of the lesson, setting the climate and establishing ground rules to ensure confidential disclosures are not made. It should be made clear to pupils that this is not the time or place to disclose confidential, personal information. (See setting ground rules and working agreements).

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When a health professional is contributing to a school health education programme in a classroom setting, s/he is working with the same boundaries of confidentiality as a teacher.

2. One to one disclosures to members of school staff (including voluntary staff).

It is essential all members of staff know the limits of the confidentiality they can offer to both pupils and parents/carers (see note below) and any required actions and sources of further support or help available both for the pupil or parent/carer and for the staff member within the school and from other agencies, where appropriate.

All staff at this school encourage pupils to discuss difficult issues with their parents or carers, and vice versa. However, the needs of the pupil are paramount and school staff will not automatically share information about the pupil with his/her parents/carers unless it is considered to be in the child's best interests.

Adults who are likely to come in to contact with pupils to discuss sensitive issues that are likely to require varying levels of privacy are trained thoroughly in Information Sharing guidance and Child Protection procedures. This training is updated regularly.

Designated Safeguarding Leads (DSLs) in the school are always available to staff for discussion and advice regarding disclosure, information sharing and confidentiality.

The school's Designated Safeguarding Leads are:

Headteacher - Robert Wyatt

Partnerships Development Manager - Amanda Conington-White

Progress Leaders for Year 7 – Jo Gould

Progress Leader for Key Stage 4 – Sharon Brooks

Progress Lead for Key Stage 5 - Simon Sim

Note:

That is, 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 Lead as soon as is practically possible. 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 school Child Protection Policy.

3. Disclosures to a counsellor, school nurse or health professional operating a confidential service in school

Health professionals such as school nurses can give confidential medical advice to pupils provided they are competent to do so and follow the Fraser Guidelines (guidelines for doctors and other health professionals on giving medical advice to under 16s). School nurses are skilled in discussing issues and possible actions with young people and always have in mind the need to encourage pupils to discuss issues with their parents or carers.

However, the needs of the pupil are paramount and the school nurse will not insist that a pupil's parents or carers are informed about any advice or treatment they give.

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Contraceptive advice and pregnancy:

The Department of Health has issued guidance (July 2004) which clarifies and confirms that health professionals owe young people under 16 the same duty of care and confidentiality as older patients. It sets out principles of good practice in providing contraception and sexual health advice to under-16s. The duty of care and confidentiality applies to all under-16s. Whether a young person is competent to consent to treatment or is in serious danger is judged by the health professional on the circumstances of each individual case, not solely on the age of the patient.

However, the younger the patient, the greater the concern that they may be being abused or exploited. The Guidance makes it clear that health professionals must make time to explore whether there may be coercion or abuse. Cases of grave concern would be referred on using child protection procedures.

Note:

It is the view of Kent Police that they should be informed of cases where a person under the age of 16 discloses sexual activity, which includes sexual intercourse. This is not for the purpose of prosecution, unless that course of action was appropriate, but to enable the Police to share information concerning the parties concerned. The Police are of the view that this information sharing would enable a better assessment as to whether a child was being abused or exploited.

The legal position for school staff:

School staff (including voluntary staff) should not promise confidentiality. Pupils do not have the right to expect that incidents will not be reported to his/her parents/carers and may not, in the absence of an explicit promise, assume that information conveyed outside that context is private. No member of this school's staff can or should give such a promise.

The safety, well-being and protection of the child is the paramount consideration in all decisions staff at this school make about confidentiality.

School staff are NOT obliged to break confidentiality except where child protection is or may be an issue, however, we believe it is important that staff are able to share their concerns about pupils with colleagues in a professional and supportive way, on a need to know basis. This would help to ensure staff receive the guidance and support they need and the pupils' safety and wellbeing is maintained.

Members of the school staff are expected to respect the confidentiality of the school community as a whole and pupils at the school. Therefore the sharing of personal or sensitive information regarding a pupil with anyone outside of the school community is not permitted. Should a member of staff be found to have disclosed confidential information to an inappropriate source then it will be dealt with through official employment procedures. School staff should discuss such concerns with the Designated Safeguarding Lead.

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Teachers, counsellor and health professionals:

Professional judgement is required by a teacher, counsellor or health professional in considering whether he or she should indicate to a child that the child could make a disclosure in confidence and whether such a confidence could then be maintained having heard the information.

In exercising their professional judgement the teacher, counsellor or health professional must consider the best interests of the child including the need to both ensure trust to provide safeguards for our children and possible child protection issues.

All teachers and all staff at this school receive basic training in child protection and are expected to follow the schools' child protection policy and procedures.

Visitors and support staff:

We expect all support staff, including voluntary staff, to report any disclosures by pupils or parents/carers, of a concerning personal nature to the designated safeguarding lead as soon as possible after the disclosure and in an appropriate setting, so others cannot overhear. This is to ensure the safety, protection and well-being of all our pupils and staff. The designated safeguarding lead will decide what, if any, further action needs to be taken, both to ensure the pupil gets the help and support they need and that the member of staff also gets the support and supervision they need.

Parents/carers:

We believe that it is essential to work in partnership with parents and carers and we endeavour to keep parents/carers abreast of their child's progress at school, including any concerns about their progress or behaviour.

However, we also need to maintain a balance so that our pupils can share any concerns and ask for help when they need it. Where a pupil does discuss a difficult personal matter with staff, they will be encouraged to also discuss the matter with their parent or carer themselves.

The safety, well-being and protection of our pupils is the paramount consideration in all decisions staff at this school make about confidentiality.

There are some situations regarding Child Protection and disclosure where a decision not to inform a parent is necessary. This decision is only made on guidance from Social Services or the Police service.

Complex cases:

Where there are areas of doubt about the sharing of information, we will seek a consultation with our local KCC Children's Safeguards Service Child Protection Co-ordinator.

Information is located in the staffroom or through the Designated Safeguarding Lead.

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Links to other school policies and procedures:

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

Anti-bullying
Behaviour
Child Protection
Children in Care
Safeguarding
Whistle-Blowing &

Record Management and Secure Storage of Information

The management, retention and storage of information held by the school is covered fully in:

- Grange Park School - Data Protection Policy (GDPR) (Version 1.0) dated May 2018
- Kent County Council - Data Retention Schedule for Schools

Equal Opportunities Statement

Grange Park School is committed to the positive promotion of equal opportunities for all.

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