

OWSLEBURY PRIMARY SCHOOL POLICY DOCUMENT



NO. E10 CONFIDENTIALITY POLICY

Review History

Date of Update	Reason for Update	Next Update
Spring 2024	Scheduled Review	Spring 2025
Spring 2025	Scheduled Review	Spring 2026
Spring 2026	Scheduled Review- updated in line with latest KCSiE	Spring 2027

1) Introduction

- a) This policy was prepared following consultation with school staff, governors, pupils, parents/carers.
- b) This policy has been written with reference to current statutory safeguarding and education guidance including:
 - *Keeping Children Safe in Education (KCSiE) – Department for Education (latest edition)*
 - *Working Together to Safeguard Children*
 - *Relationships Education, Relationships and Sex Education (RSE) and Health Education – Department for Education*
 - *The UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.*

2) Definition

- a) The overall meaning of a confidential relationship is openness and agreement about what will happen to information disclosed between two, or more, people. Confidentiality is defined as 'something which is spoken or given in private, entrusted with another's secret affairs'. 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. However it may not have to take the form of total secrecy. In practice there are few situations where absolute confidentiality is offered. In most cases only limited confidentiality can be offered. In our school there are few circumstances where absolute confidentiality is offered. We strive 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 are followed. This means that in most cases what is offered is limited confidentiality. The welfare of the child is paramount. Where there are safeguarding concerns, confidentiality cannot be guaranteed and information may need to be shared with the Designated Safeguarding Lead (DSL) or other appropriate professionals in line with the school's safeguarding procedures and statutory guidance.
- b) Disclosure of the content of a conversation could be discussed with professional colleagues, but the confider would not be identified except in certain circumstances. Staff should make it 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 be involved in the information sharing. Different levels of confidentiality are appropriate for different circumstances. Individual faiths and beliefs must be taken into account.

OWSLEBURY PRIMARY SCHOOL

POLICY DOCUMENT



- c) Data Protection: The school processes personal data in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. Information will only be shared where there is a lawful basis to do so, particularly where safeguarding concerns arise or where sharing information is necessary to protect a child.

3) Aims of the Confidentiality Policy

- To protect the child at all times.
- All members of staff working on the school site are clear about the levels of confidentiality that they can offer to the school community and expect themselves.

4) Objectives

- For everyone (staff and governors, pupils and parents) to understand the varying levels of confidentiality which might be offered in different circumstances

5) Guidelines

a) Confidentiality and pupils

- i) We recognise that there are occasions when pupils are worried about something and feel that they cannot talk about it to their parents/carers. This can result in enormous stress for the individual which impacts on their education and health. Some pupils may feel that they can turn to teachers and other staff members for support and we want to be as helpful as we can whilst recognising that there may be some potential difficulties in being supportive. You should adhere to the following policy:
- ii) You must be clear to pupils that you cannot offer unconditional confidentiality when a pupil first begins to talk about something where confidentiality may become an issue
- iii) Pupils should be warned that if there is a child protection issue where the pupils, or others, are likely to be at risk of significant harm, you are legally required to inform the school's Designated Safeguarding Lead (DSL) who may have to involve other agencies. (Please refer to the school's child protection procedures for further advice on this aspect.)
- iv) School staff can only offer confidentiality to pupils on issues that do not involve significant illegal activities e.g. drug trafficking, arson. If the conversation begins to move to this kind of issue, the pupil must be warned that confidentiality cannot be guaranteed.
- v) In all cases where you feel that you have to break confidentiality with the pupil, you must inform the pupil and reassure them that their best interests will be maintained (unless there is very good reason not to inform them e.g. risk of harm)
- vi) In talking with pupils, you need to encourage them to talk to their parents/carers about the issue that may be troubling them and support in doing this should be offered where appropriate
- vii) Pupils should be made aware of the specialist confidential services that may be available in the school community e.g. school health nurse, doctor, ELSA

OWSLEBURY PRIMARY SCHOOL POLICY DOCUMENT



b) Confidentiality and Staff and Governors

- i) Relationships between and amongst staff and governors need to be based on openness and trust.
- ii) Access to the Staff Support Scheme is available to all staff and is confidential.
- iii) Any use of the Staff Disciplinary Procedure (as detailed in the Manual of Personnel Procedures) will be confidential to the parties involved.
- iv) All staff can expect that their personal situations and health will remain confidential unless it impinges on their terms of contract or endangers pupils or other members of staff.

c) Confidentiality and families

- i) We recognise that sometimes there may be family issues which might affect a pupil and which the family will only disclose to us if they can be sure the information will be treated confidentially.
- ii) We will respect the wishes of the family and where it is felt necessary to share the information given to us, this will be discussed with the parent first unless a pupil is considered to be at immediate risk and/or there is an overriding child protection concern.

d) Confidentiality and Visitors

- i) A 'Visitor' in this context is any person who works in school either in a paid or a voluntary capacity. In some instances, the visitor may become privy to personal information regarding pupils, parents and staff that is of a confidential nature.
- ii) There is an agreement between the Governing Body and everyone who works in school to sign a declaration not to use any such information outside the school context and to share relevant information with other agencies in situations of child protection.

(See appendix A)

e) Confidentiality and Social Media.

- i) Over the past years the use of social media and online platforms (e.g. Facebook, Instagram, WhatsApp, TikTok, X and similar services) has become increasingly popular. Such sites are used to share information, photographs and news with friends across the world. Whilst the use of such sites has very many benefits there are potential problems concerning privacy and appropriate usage. These may include breaches of confidentiality, unsuitable language or images, and in some cases breaches of the law. Staff must follow the school's Online Safety / Acceptable Use Policy and Staff Code of Conduct.
- ii) Examples of such problematic usage of publicly accessible social media could be:
 - Staff referring to children by name

OWSLEBURY PRIMARY SCHOOL POLICY DOCUMENT



- Staff referring to school/ business matters
 - Staff using derogatory or offensive language about children or colleagues
 - Staff posting images of themselves in inappropriate dress or situations
 - Staff participating in illegal activities such as the sharing of indecent images of children
 - Partners or friends posting inappropriate comments concerning staff
 - Partners and friends posting images that show staff members in situations which may not be in keeping with their professional status
- iii) Whilst it is not intended to govern colleagues' private use of social media, all members of the school community should be aware of expectations around online behaviour that could affect confidentiality, professional standing, integrity and dignity.
- iv) With this in mind staff are advised
- Not to allow themselves to enter into online or social media contact with families of children to protect staff and the public from abuse and misunderstandings.
 - Never to enter into online (social networking site) contact with children who attend our school to protect staff and the public from abuse and misunderstandings.
 - To be careful about what they say online in such social networking sites when in contact with other people such as relatives or family friends. This caution should also apply to images or video material.
 - To take great care if socially contacting colleagues. Staff need to be mindful of what they are posting and who can see it. This is important in respect of confidentiality, workplace relationships, and the fact that their online contacts may not appreciate the difference between private and professional comments.
- v) Staff privacy and dignity - recommendations and advice
- Staff are strongly recommended to check that their online privacy settings only allow "friends" to see their profiles. These should be checked at regular intervals as updates to services can alter these settings.
 - It is also advised that as a general measure to protect their personal safety and identity, staff do not accept friend requests from people who are not personally known to them.
 - Staff may wish to ask friends to check before photographs are posted which may cause them embarrassment. Staff posting their own images should bear in mind the fact that any image can easily be downloaded and manipulated and they should choose which images they share accordingly.
 - It is recommended that staff do not post images that could be used to identify their homes or families.
 - Staff should also be aware of the privacy settings that 'friends' use as comments posted on these sites could be more widely accessible than is intended.

6) Lines of Responsibility and Referral

- a) If a member of the school community receives information where they believe a child protection issue is addressed, they should refer the case to the Designated Safeguarding Lead (DSL) or a Deputy DSL in line with the school's safeguarding procedures. The person must make it clear to the pupil that they will be passing on the information but that the

OWSLEBURY PRIMARY SCHOOL POLICY DOCUMENT



information will remain confidential between them and the Designated Safeguarding Lead (DSL). If confidentiality has to be broken, the child must be informed first.

- b) Staff should follow the school's safeguarding procedures and report concerns to the Designated Safeguarding Lead. Information will then be shared with senior leaders or external agencies where appropriate.

7) Equal Opportunities

- a) We will ensure that all children, parents and staff have a right to confidentiality, as determined by this policy, regardless of any differentials in their protected characteristics including sex, race, religion or belief, disability, sexual orientation, gender reassignment, pregnancy and maternity, and age where applicable. There can be no excuse for breaching confidentiality or deviating from this policy based on perceptions of circumstances.

8) Policy Relationship to School Values

- a) We believe that an appropriate and consistently observed Confidentiality Policy will underscore our stated school values in the following ways:
 - i) **Nurture** – appropriate confidentiality is a necessary element of creating safe and caring environment for all.
 - ii) **Respect** – observing appropriate confidentiality demonstrates children and adults right to have their privacy respected
 - iii) **Collaboration** – confidentiality builds trust between children, staff and parents and encourages co-operation to overcome issues that may require sensitive handling.

**OWSLEBURY PRIMARY SCHOOL
POLICY DOCUMENT**



**APPENDIX A
CONFIDENTIALITY AGREEMENT FOR VISITORS OF OWSLEBURY PRIMARY SCHOOL**

This is an agreement between the Governing Body and everyone who works in school either in a paid or a voluntary capacity.

I understand that in the course of my work in school, I may be party to personal information regarding pupils, parents and staff that is of a confidential nature. I agree not to use any such information outside the school context. I agree to share relevant information with other agencies in situations of child protection.

Name and signature of member of staff/volunteer worker/governor

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Date:

Signed by:

On behalf of the Governing Body

Those working in school either paid or voluntarily will be asked to sign the agreement every September.

End Policy