



Confidentiality Policy

Rationale

There is increasing national concern for the emotional health and well-being of young people growing up in today's society. We recognise that parents and carers want to do all they can to support their child but even in the most supportive of relationships where there is excellent communication between parent/carer and child, there can be occasions when they are worried about something and feel that they cannot talk about it with them. This may result in enormous stress for the pupil, which can impact on their education, health and behaviour, unfortunately self-harm and even suicide in the most extreme cases. Whilst we recognise that parents and carers will naturally be disappointed if their child does not choose to talk with them about what is troubling them, we feel there could be even more distress if the pupil is unable to cope with the issue themselves. Lowbrook has many forums that allow children to discuss sensitive issues for example- Peer mediation, circle time, classroom, groups and individual discussions. Schools must be absolutely clear about the boundaries of their legal and professional roles and responsibilities. A clear and explicit confidentiality policy ensures good practice throughout our school, which both pupils and parents understand.

This policy outlines the contexts and areas that confidentiality is used and the responsibilities under each section. It links directly to the Child Protection and Sex Education policies yet encompasses the essential elements of the schools Citizenship and Ethics initiatives including circle time and peer mediation.

Guidelines

- a. Staff will not discuss details of individual cases arising in staff meetings or through other discussions with any person without a direct professional connection to and interest in the welfare and education of the individual concerned.
- b. Staff will not enter into detailed discussions about personal, disciplinary or educational matters relating to an individual child with other children or their parents.
- c. Governors, in particular those sitting on Discipline Committees, will not divulge details about individuals (be they staff, families or individual children) to any person outside of the committee.
- d. Parents in school working as volunteers in the office, classrooms, or as part of the Lowbrook Parents Association will report cases of poor behaviour or pupil discipline to the child's teacher, not other parents in the school. This allows the teachers to deal with such matters in line with our school behaviour policy and on occasions allow children to put the matter right without the direct involvement of their parents.
- e. At Full Governing Body meetings matters such as pupil exclusion, personnel issues and personal details of any member of the school community will be dealt with in the Principal's report under Part 2 confidential. This is not for the knowledge of



persons outside the Governing Body meeting. Matters in Part 2 are minuted separately and minutes are not published.

- f. When volunteers such as parents and friends of the school are working in classes they do not discuss educational matters outside of the classroom. For example the specific use of Learning Support Assistant time for particular pupils or groups of pupils. Learning Support Assistants have different roles within a class, including the support of children with Additional Educational Needs, the provision and work with these children is for the teacher to discuss with the relevant parents or carers.
- g. Staff Appraisal will be carried out privately. Targets for individuals, named lesson observation sheets and other performance documentation will kept in the Appraisers office and will only be available to the Principal or the individual member of staff concerned. They may be shared with inspectors and the Pay Review Committee if prior agreement is obtained.
- h. Matters of Child Protection or Safeguarding are made known to staff on a need to know basis and must be treated confidentially. All child protection paperwork is stored in a locked cupboard in the office which is managed by the Designated Safeguarding Lead or Executive Principal.
- i. It is important that class teachers and support staff are aware of some confidential matters in order to support individuals. These staff will respect the sensitivity of such cases and not divulge information to people unconnected professionally with the individual concerned.
- j. Volunteers, students and supply teachers are asked to read this policy before working in school and must adhere to these guidelines.

Child Protection

Children cannot learn effectively if they are concerned or frightened about being abused or being the victims of violence in the home. They have a right to expect schools to provide a safe and secure environment. Any fears or worries they bring into the classroom should not go unnoticed by staff. Teachers need to be aware of child protection related issues and 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. Please refer to the Child Protection Policy & Procedures.

Teachers, staff and school helpers cannot offer or guarantee absolute confidentiality.

If a member of a school's staff (teaching or non-teaching) suspects that a child is a victim of abuse or they have reason to believe that he/she is at risk of abuse, they should be aware of the procedures for reporting their concerns and to whom they should do so.

If a pupil asks to speak in confidence, he/she should always be told beforehand that **unconditional confidentiality is not always possible** if someone is in danger of abuse. If confidentiality is to be breached, the pupil needs to know who will be told, why and what the outcome is likely to be and how he/she will be supported.



There will be times when disclosures are made to teachers and staff and may be rare occasions when a primary school teacher is directly approached by a primary age child who is sexually active or is contemplating sexual activity. This should be viewed as a child protection issue. Lowbrook has designated members of staff to deal with these rare incidents.

All child protection issues need to be referred to Miss Iasi, the Designated Safeguarding Lead, in accordance with the school's child protection policy. The school must endeavour to regularly train all staff in child protection procedures bi-annually. New members of staff will be trained as a component of their induction period.

If Miss Iasi is absent then it is the staff's direct responsibility to handle the disclosure appropriately and in accordance with the child protection and safeguarding policy. In the absence of Miss Iasi, one of the school's Deputy Designated Safeguarding Leads will oversee the procedures. However, it is important that the member of staff who received the disclosure understands that it is their responsibility by law to report this incident.

For all child protection issues please refer to the Lowbrook Child Protection and Safeguarding policy.

Health professionals are bound by their professional codes of conduct to maintain confidentiality. When working in a classroom situation, they are also bound by relevant school policies. In line with the best practice guidance, they will seek to protect privacy and prevent inappropriate personal disclosures in a classroom setting, by negotiating ground rules and using distancing techniques.

Key points-relating to confidentiality and child protection.

- Lowbrook has a clear and explicit confidentiality policy, which is advertised to pupils, staff, parents and visitors.
- Teachers cannot offer or guarantee pupils **unconditional confidentiality**.
- Teachers are not legally bound to inform parents of any disclosure unless the Principal has specifically requested them to do so.
- Teachers should follow a set procedure if a child under the age of 16 is having, or contemplating having, sex. This procedure can be found in the Sex and Relationships Policy.
- If abuse is suspected, teachers should follow the school's child protection procedures.
- Health professionals are bound by their professional codes of conduct in a one-to-one situation with individual pupils, but in a classroom situation they should follow the school's confidentiality policy.

Peer Mentoring and Support

All mentoring and support programmes cover confidentiality issues in their training.



Pupils are not allowed to promise to keep secrets but all conversations between the mentor and mentee will be kept confidential except in the following circumstances:

- The mentor must tell the Designated Safeguarding Lead if a pupil discloses either any form of abuse or anything else that would make them worry about their safety.
- If the mentee is about to disclose this sort of information, the mentor must tell them that they will need to take them to a member of staff, possibly as an advocate to help them.
- If the mentor has a concern about the content of a mentoring meeting, they are encouraged to discuss it with the mentoring Co-ordinator – it will not go further unless it is one of the above.

Circle Time

During regular weekly circle time children will often talk about sensitive issues in relation to themselves. Confidentiality on such issues and the discussion during the circle time is to be upheld by those participants unless:

- A pupil discloses any form of abuse anything else that would indicate that the child safety would be compromised.
- The child discloses information in relation to drug abuse or
- The child discloses information that would indicate that they are a danger to themselves or others.

In such circumstances, early intervention from the teacher guiding the circle time will be necessary and the appropriate policies must be adhered to: - Child Protection and Safeguarding Policy, Sex and Relationships Policy, and Drugs Education Policy.

Parents and Families

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. 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.

Staff and Governors

All staff can normally 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 or
- There is a legal obligation to disclose such information or

- It is necessary for legal proceedings or
- Despite the duty of confidence, the staff member's interest or the wider public interest justifies disclosure.

All adults including volunteers are deemed as staff of the school and therefore must have a sound understanding of this and related policies before working with the children in this school.

Fair Processing

Schools, local education authorities and the Department for Education and (the government department which deals with education) all hold information on pupils in order to run the education system, and in doing so have to follow the Data Protection Act 1998 (further information can be found on the Information Commissioners Office website). This means, among other things that the data held about pupils must only be used for specific purposes allowed by law.

The **school** holds information on pupils in order to support their teaching and learning, to monitor and report on their progress, to provide appropriate pastoral care, and to assess how well the school as a whole is doing. This information includes contact details, National Curriculum assessment results, attendance information, characteristics such as ethnic group, special educational needs and any relevant medical information.

From time to time the school is required to pass on some of this data to the Local Education Authority (LA), to another school to which the pupil is transferring, to the Department for Education and Skills (DFE), and to the Qualifications and Curriculum Authority (QCA), which is responsible for the National Curriculum and associated assessment arrangements.

The **Local Authority** uses information about pupils to carry out specific functions for which it is responsible, such as the assessment of any special educational needs the pupil may have. It also uses the information to derive statistics to inform decisions on (for example) the funding of schools, and to assess the performance of schools and set targets for them. The statistics are used in such a way that individual pupils cannot be identified from them.

The **Standards and Testing Agency** uses information about pupils to administer the National Curriculum tests and assessments for Key Stages 1 to 3. The results of these are passed on to DFE in order for it to compile statistics on trends and patterns in levels of achievement. They use the information to evaluate the effectiveness of the National Curriculum and the associated assessment arrangements, and to ensure that these are continually improved.

The **Department for Education** uses information about pupils for statistical purposes, to evaluate and develop education policy and to monitor the performance of the education service as a whole. The statistics (including those based on information provided by the QCA) are used in such a way that individual pupils cannot be identified from them. The DFE will feed back to LA's and schools information about their pupils where they are lacking this information, because a former school did not pass it on. On occasion information may be shared with other Government departments or agencies strictly for statistical or research purposes only.



Pupils, as data subjects, have certain rights under the Data Protection Act, including a general right of access to personal data held on them, with parents exercising this right on their behalf if they are too young to do so themselves. If a parent or guardian wishes to access the personal data held about your child, then it can be requested in writing:

- The school: Lowbrook Academy, The Fairway, Cox Green, Berks, SL6 3AR.
- The LA's Data Protection Officer: Town Hall, St Ives Road, Maidenhead SL6 1RF
- foi@rbwm.gov.uk
- The Standards and Testing Agency: ICO Information Commissioners Office
<https://ico.org.uk/for-organisations/guide-to-data-protection>
- The DfE's Data Protection Officer at DfE, Caxton House, Tothill Street, London, SW1H 9NA

Please note that all rights under the Data Protection Act to do with information about your child rest with them as soon as they are old enough to understand these rights. This will vary from one child to another and you will wish to consider the position for your child, but, as a broad guide, it is reckoned that most children will have a sufficient understanding by the age of 12.

Separately from the Data Protection Act, DfE regulations provide a pupil's parent (regardless of the age of the pupil) with the right to view, or to have a copy of, their child's educational record at the school. If you wish to exercise this right you should write to the school.

This policy should be read in conjunction with:

Child Protection & Safeguarding Policy & Procedures
Whistleblowing Policy
Fair Access and Data Protection Policies and Statutory Guidance.

Other Related Policies

Sex and Relationships
Curriculum
Drugs Education
Behaviour

The Governing Body approved this policy on date: **24th November 2017**

Signed: _____ Chair of Governors

Signed: _____ Executive Principal

