

CONFIDENTIALITY POLICY

FOREST OAK SCHOOL

and

MERSTONE SCHOOL



October 2015

Related policies and documents:

Anti-bullying
Behaviour Management
Child Protection
Equality
PSHE

Physical Restraint
Safeguarding
Sex & Relationships Education
Use Images
Whistle-blowing

Related Legislation:

Human Rights Act 1998: Gives everyone the right to “respect for his private and family life, his home and his correspondence”, unless this is overridden by the ‘public interest’, e.g. for reasons of Child Protection, for the protection of public safety, public order, health or morals or for the rights and freedoms of others.

Data Protection Act 1998: Applies to: personal data of living, identifiable individuals (not anonymised data); manual and electronic records. Schools need to be clear, when collecting personal data, of the purposes for which it will be used and should have policies to clarify this to staff, pupils and parents/carers.

Freedom of Information Act 2000: Amends the Data Protection Act. Gives everyone the right to request any records a public body, including schools, hold about them. A school may withhold information it has if it is considered the information may damage the recipient, if disclosed. Schools’ data or record keeping policy should also cover the requirements of this Act.

Rationale

We are committed to the provision of a safe and secure learning environment for every child and respect every individual’s and family’s right to privacy whilst ensuring that we offer high quality care and education. All of our staff and visitors are expected to work within the guidelines of this policy which conform to recent legislation and government guidelines.

We recognise our responsibilities relating to holding, using and safeguarding information received.

In practice this means:

- Making it clear that information is shared on a ‘need to know’ basis.
- Not discussing personal information relating to any of our stakeholders (i.e. those who are connected with our school) in a general way or where it may be overheard.
- Keeping all personal records confidential.
- Using teaching methods which protect confidentiality.

Objectives

Through the implementation of our Confidentiality Policy we will ensure that:

- Stakeholders are protected at all times.
- All staff and visitors have clear, unambiguous guidance as to their legal and professional roles.
- Good practice is shared and understood by all stakeholders.

We will achieve our objectives through:

- Issuing clearly defined procedures.
- Providing consistent messages in our school relating to handling information, once it has been received, providing training where necessary.
- Fostering an ethos of trust within our school.
- Publishing our Confidentiality Policy.

Procedures:

1. All information about individual stakeholders, however obtained (e.g. from personal records/through observation/through meetings/through situations that arise during class, playtime or outside our premises), is private and will only be shared with those who have a need to know (i.e. those who need the information in their professional capacity). Information which relates to any individual stakeholder or brings our school into disrepute will never be posted or shared online, through any means including all areas of social media (e.g. Facebook, Twitter). Staff, regular visitors and volunteers understand that this is a requirement during and after their time at our school and confirms this through signing a statement of confidentiality (Appendix 1).
2. Even when information appears to be widely known, it will not be assumed by those immediately involved that it is appropriate to discuss or share this information further.
3. All social services, medical and personal information will be held in a safe and secure place which cannot be accessed by individuals other than nominated school staff. It will be considered whether the staff concerned have access to all, or only some, of the information.
4. Personal information such as social services reports, speech therapy, medical reports, SEN reports, minutes of meetings etc. will be circulated, where necessary, in sealed envelopes and once read will be returned to the appropriate person for secure filing.
5. Correspondence to parents/carers relating to social services, medical and personal information will be handed to the parent/carer, not via book bags/home/school books.
6. Confidentiality will be maintained when distributing class information.
7. Logs of administration of medication to children will be kept secure and each child will have their own individual log.
8. An appointed Designated Member of Staff receives regular training. Child protection procedures are understood by all staff and training is undertaken regularly.
9. Adults are aware of the procedures relating to allegations against a member of staff.
10. Staff are always available to talk to both children and parents/carers about issues that are causing concern. We encourage children to talk to parents/carers about issues and may, in some cases, support children to talk to their parents/carers.
11. Parents/carers and children will be made aware that our school cannot guarantee total confidentiality and we have a duty to report child protection issues. Any child protection disclosure will be shared with parents/carers before we inform the correct authorities unless we believe that this puts the child at greater risk.
12. Data generated by our school will be anonymised where necessary to ensure confidentiality. Information collected for one purpose will not be used for another.

13. Where staff need to take personal data off-site, this will be stored on encrypted USB.
14. Clear ground rules will be set for any classroom work such as circle time and other PHSE sessions dealing with sensitive issues such as sex and relationship and drugs. Staff are aware the 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. Strategies are in place for dealing with sensitive information which may fall outside the boundaries of child protection procedures. Staff will be proactive so children feel supported but information is not unnecessarily revealed in a public area.
15. Photographs or video of children will not be used without parents/carers permission and our policy on the use of images will be adhered to at all times.
16. We ensure that parents/carers have a right of access to any records the school may hold on their child, within legislative requirements. Parents/carers will not have access to any other child's books, marks and progress grades at any time. Parents/carers will be made aware that information about their child will be shared with the receiving school/setting when they change school/setting.
17. Only those identified on our data base having parental responsibility will be contacted in relation to their child. Should there be any concerns, this will be referred to the DMS before a parent/carer is contacted.
18. Governors will be mindful that from time to time issues are discussed, or will be brought to their attention, about staff and children. Governors will observe complete confidentiality when asked to do so by the Governing body, especially in relation to matters concerning individual staff, children or parents/carers. Although decisions reached at governors' meetings are normally made public through minutes or otherwise, the discussions on which decisions are based will be regarded as confidential. Governors should exercise the highest degree of prudence when discussion of potentially contentious issues arises outside Governing Body meetings.
19. Health professionals have their own code of practice dealing with confidentiality.
20. All requests for information (about our school or stakeholders) by an outside agency or the media will not be commented on by the person to whom the request was made, but will be referred immediately to the Pribcipal.

Monitoring and Evaluation

1. This policy will be reviewed by the Governing Body, as part of its monitoring cycle.



FOREST OAK SCHOOL & MERSTONE SCHOOL

STATEMENT OF CONFIDENTIALITY

All members of staff, regular visitors and volunteers are required to sign the following statement relating to confidentiality:

- I have read and understood the Confidentiality Policy and agree to adhere to this in my role at Forest Oak School and Merstone School, during my time at the school and after I have left.
- I recognise that I am in a position whereby, at certain times, I may have access to information concerning individual stakeholders.
- I agree to only discuss information relating to Forest Oak School and Merstone School and respective stakeholders on a 'need to know' basis, as defined in the policy.
- I agree not to post or share information online through any means, including all areas of social media (e.g. Facebook, Twitter), which relates to any individual stakeholder or brings Forest Oak School and/or Merstone School into disrepute.
- I agree to refer all requests for information by an outside agency or the media to the Principal.

Signed:..... Date:.....

Name (please print):.....

Role in school:.....

