

Saint Martin's Catholic Academy



Confidentiality Policy **January 2015**

The Importance of Confidentiality

At Saint Martin's Catholic School we believe that:

- The safety, well-being and protection of our pupils are the paramount consideration in all decisions staff at this school make about confidentiality. The appropriate¹ 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 students, 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 students and staff are supported and safe
- Students, 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.

Involvement of the staff, students, parents and the wider community in developing this confidentiality policy

A working group consisting of representatives of staff, students, parents, carers and governors established the draft of this policy. A wide consultation has taken place with the whole school community, including our partner agencies and their feedback taken on board. The final policy was agreed by the Senior Leadership Team and the school's Governing body, and has been widely disseminated to staff, students, parents and carers and partner agencies.

It forms part of the induction of all new staff, including voluntary staff and is regularly reviewed.

Definition of Confidentiality

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

¹ Child Protection issues should be dealt with in accordance with the SM Safeguarding/Child Protection policy

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 Saint Martin's Catholic School. We have tried to strike a balance between ensuring the safety, well-being and protection of our students and staff, ensuring there is an ethos of trust where students 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 students' safety and well-being. The student 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.

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 students that this is not the time or place to disclose confidential, personal information. (See setting ground rules and working agreements).

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.

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 students and parents/carers (see note below) and any required actions and sources of further support or help available both for the student or parent/carer and for the staff member within the school and from other agencies, where appropriate. All staff at this school encourage students to discuss difficult issues with their parents or carers, and vice versa. However, the needs of the student are paramount and school staff will not automatically share information about the student with his/her parents/carers unless it is considered to be in the child's best interests.

(Note: That is, that 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 Child Protection Co-ordinator (Mrs B Carson Headteacher or Mrs K Grady Deputy Headteacher) 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.)

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

Health professionals such as school nurses can give confidential medical advice to students 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 students to discuss issues with their parents or carers. However, the needs of the student are paramount and the school nurse will not insist that a student's parents or carers are informed about any advice or treatment they give.

Contraceptive advice and pregnancy:

The Department of Health 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 through child protection procedures.

The legal position for school staff:

School staff (including non-teaching and voluntary staff) should not promise confidentiality. Students 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, at Saint Martin's we believe it is important staff are able to share their concerns about students with colleagues in a professional and supportive way, on a need-to-know basis, to ensure staff receive the guidance and support they need and the students' safety and well-being is maintained. School staff should discuss such concerns with their line manager.

Teachers, counsellors 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 staff at this school receive basic training in child protection as part of their induction to this school and are expected to follow the schools' child protection policy and procedures.

Counsellors and Health Professionals:

At Saint Martin's we offer students the support of a Christian counsellor (with appointments accessed discreetly through the Pastoral Officer), and the school nursing service operates a weekly drop in service for students. These services are confidential between the counsellor or health professional and the individual student. No information is shared with school staff except as defined in the school's child protection and counselling policies. This is essential to maintain the trust needed for these services to meet the needs of our students.

Visitors and non-teaching staff:

At Saint Martin's, we expect all non teaching staff, including voluntary staff, except those identified in the paragraph above, to report any disclosures by students or parents/carers, of a concerning

personal nature to the designated child protection co-ordinator (DSP) 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 students and staff. The designated child protection co-ordinator will decide what, if any, further action needs to be taken, both to ensure the student gets the help and support they need and that the member of staff also gets the support and supervision they need.

Parents/carers:

At Saint Martin's 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 students can share any concerns and ask for help when they need it. Where a student does discuss a difficult personal matter with staff at Saint Martin's, they will be encouraged to also discuss the matter with their parent or carer themselves.

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

Complex cases:

Where there are areas of doubt about the sharing of information, seek a consultation with the Leicestershire County Council Safeguarding Unit.

Links to other school policies and procedures

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

CPSHE

Drugs

Sex and Relationships

Safeguarding/Child Protection

Anti-Bullying

Behaviour

Whistle-Blowing

Counselling

Community Cohesion and Equality

Statement of ground rules to be used in lessons

(This should also be contained in any policies relating to the teaching of PSHE, including sex and relationship education and drug education)

We adopt ground rules to ensure a safe environment for teaching in particular in PSHE and Circle time. This reduces anxiety to students and staff and minimises unconsidered, unintended personal disclosures.

At the beginning of each CPSHE lesson, students are reminded of the ground rules by the teacher or outside visitor. The teacher establishes the ground rules together with the students at the beginning of each half term of teaching CPSHE.

This is an example of the ground rules for a Year 9 class:

- We won't ask each other or the teacher any personal questions
- We will respect each other and not laugh, tease or hurt others
- We won't say things we want to keep confidential
- We can pass or opt out of something if it makes us feel uncomfortable
- If we do find out things about other students, which are personal and private, we won't talk about it outside the lesson
- If we do find out things about other students, which are personal and private, we won't talk about it outside the lesson, but
- If we are worried about someone else's safety we tell a teacher

When confidentiality should be broken and procedures for doing this:

In all cases where a child protection issue is involved - see the Safeguarding/Child Protection Policy
Where this does not apply and you are still concerned and unsure of whether the information should be passed on or other action taken you should speak to a DSP (Designated Senior Person).

If the Headteacher issues instructions that s/he should be kept informed, all staff must comply. There is always a good reason for this, which you may not know about.

The principles we follow at Saint Martin's are that in all cases we:

- Ensure the time and place are appropriate, when they are not we reassure the student that we understand they need to discuss something very important and that it warrants time, space and privacy.

- See the student normally (and always in cases of neglect, or abuse) before the end of the school day. More serious concerns must be reported immediately to ensure that any intervention necessary to protect the student is accessed as early as possible.
- Tell the student we cannot guarantee confidentiality if we think they will:
- hurt themselves
- hurt someone else
- or they tell us that someone is hurting them or others
- Never interrogate the student or ask leading questions
- Will not put students in the position of having to repeat distressing matters to several people
- Inform the student first before any confidential information is shared, with the reasons for this
- Encourage the student, whenever possible to confide in his/her own parents/carers Support for staff

Staff may have support needs themselves in dealing with some of the personal issues of our students. At Saint Martin's Catholic School we prefer you to ask for help rather than possibly making a poor decision because you don't have all the facts or the necessary training, or taking worries about students home with you.

There are many agencies to whom we can refer students who need additional support and we have procedures to ensure this happens. We all work together as part of a team to support our students and asking for help is a way we ensure Saint Martin's is a happy and safe learning environment.

Saint Martin's teaching staff should discuss any concerns about students with their Line Manager, Support staff with The School Business Manager, mentors with the class teacher.

Any unresolved issues should be discussed with a member of the Senior Leadership Team.

Onward referral:

Teaching staff may refer students to the Pastoral Officer who is responsible for referring students to the school counsellor and to outside agencies from the school. Please do not make referrals yourself unless you believe a child protection referral to the police or SSD is necessary and the designated person does not agree.

Students can also obtain confidential help themselves, refer them to the information available from: school nurse drop ins, 4YP clinics, GP, local drug and alcohol agencies, Relateen, Childline, etc.

Dissemination and implementation:

This policy has been distributed to all teaching and non-teaching staff, including volunteers, at the school as part of a whole school training day, where all staff received training on the content and practical applications of the policy.

The School Council has developed a simplified version for students and parents/carers, which forms part of the school prospectus.

All new staff, including volunteers, receive a copy of the policy, together with basic training on the school's Child Protection Policy and procedures from the Designated Child Protection Coordinator.

Review:

This policy is reviewed whenever deemed necessary by the Headteacher and Governors in the light of events and changes in the law.

This policy was agreed on

This policy was agreed on: _____

Signed on behalf of the Governors by: _____

Signed on behalf of the Academy by: _____

Date: _____