

Spring Hill High School Confidentiality Policy

Policy: Confidentiality Policy
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Authorised by: Directors and Acting Responsible Individual(RI)
Updated by: Gary Edmunds
To be read in conjunction: Safeguarding and Prevent Policy, Anti-bully Policy, Whistleblowing Policy

1.0 Rationale and statement on the importance of confidentiality

We believe that:

- The safety, well being and protection of our young learners are the paramount consideration in all decisions staff at Spring Hill High School make about confidentiality.
- The appropriate sharing of information between school staff is an essential element in ensuring our young learners' well being and safety.
- It is an essential part of the ethos of our school that trust is established to enable young learners, 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 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.

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2.0 Definition of Confidentiality

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

2.2 When speaking confidentially to someone the student has the belief that the staff will not discuss the content of the conversation with another. The student 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.

2.3 In practice there are few situations where absolute confidentiality is offered. However, we have tried to strike a balance between ensuring the safety, well being and protection of our young learners and staff, ensuring there is an ethos of trust where young learners 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.

2.4 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.

2.5 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.

3.0 Different levels of confidentiality are appropriate for different circumstances.

3.1 Very Complex cases:

If confidentiality has to be broken the student will be told first and supported. If there is any possibility of abuse the school's child protection procedure will be followed and the student/parent/carer will be informed of sources of confidential help for eg. the GP and child support agency.

In such cases the procedure for dealing with the situation is as follows:

- The member of staff should pass the information on to the Designated safeguarding Lead(DSL). The school's DSL is Gary Edmunds. In the absence of Gary Edmunds, Gemma Gall or Mohammed Awadin(DSLs for Thoughts of Others the school's parent company) will be informed to carry out the duties of the DSL.

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- The DSL will make appropriate arrangements. They will decide, in discussion with Social care whether it is appropriate informed at this stage.
- The DSL should address the safeguarding issue and ensure that appropriate support is provided for the student and the family.
- Other members of staff will only be informed on a need to know basis where the issue identified affects the daily life of the student in school.
- Although the school works closely with parents staff will not be obliged to pass on information to parents if they believe the information will put the child at risk. Where they believe the student is at moral or physical risk or, at risk or in breach of the law and they will encourage students to speak to parent/carer about the situation.

3.2 In the classroom in the course of group lessons 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 young learners that this is not the time or place to disclose confidential, personal information. If the student insist on disclosing, the student should be encouraged to leave the group where they can speak on a one to one basis with a member of staff.

3.2 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 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. The school encourages students to discuss difficult issues with their parents or carers, and vice versa. However, the needs of the students 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 student's best interests.

3.3 Disclosures to a counsellor, therapists or other internal professionals operating a confidential service in the school.

The school has a number of counsellors/therapist/internal professional who skilled in discussing issues and possible actions with students and always have in mind the need to encourage students to discuss issues with their parents or carers. However, the needs of the students are paramount and the school counsellors/therapist/internal professional will not insist that a student's parents or carers are informed about any

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information or advice given. On a “need to know basis” they will share with appropriate staff in school any details which would enable better ‘in school’ support for the student.

3.4 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 have 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.

Note: It is the view of 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.

3.5 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 case of child protection), 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 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 student's safety and well being is maintained. School staff should discuss such concerns with the site deputy or the Designated Safeguarding lead in the case of safeguarding

3.6 Visitors and non-teaching staff:

We expect all non teaching staff, including voluntary staff, except counsellors and health professionals, to report any disclosures by students or parents/carers, of a concerning personal

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nature site leader or the designated Safeguarding Lead(DSL) 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 student and staff. The site leader or DSL 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 they need.

3.7 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 student can share any concerns and ask for help when they need it. Where a student does discuss a difficult personal matter with staff they will be encouraged to also discuss the matter with their parent or carer themselves unless the personal matter is an allegation against the parents or carers. In this case advice would be sought from MASH as to how best proceed.

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

Links to other school policies and procedures: This policy is intended to be used in conjunction with the school's PSHE/Drugs Sex and Relationship, Child Protection, Anti Bullying Behaviour for Learning and Whistle-Blowing Policies.