



**ST LEONARD'S CE PRIMARY ACADEMY**  
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## St Leonard's CE Primary Academy Confidentiality Policy 2017-19

This policy should be taken and used as part of St Leonard's CE Primary Academy's overall strategy, and implemented within the context of our vision, instrument of government aims, and values of a Church of England Academy. St Leonard's is a Church of England Primary Academy which celebrates a love of God and puts the Christian ethos at the centre of all that it does.

### 1 Introduction

- 1.1 St Leonard's CE Primary Academy recognises its legal duty under section 175 Education Act 2002 to work with other agencies in safeguarding children and protecting them from "significant harm".
- 1.2 St Leonard's also recognises that a clear confidentiality policy will support the school in meeting the Every Child Matters outcomes of "be healthy" and "stay safe".
- 1.3 Staff at St Leonard's seek to adopt an open and accepting attitude towards children and young people as part of their general responsibility for pastoral care.
- 1.4 Staff hope that parents/carers and children will feel free to talk about any concerns or worries which may affect educational progress and that they will see the academy as a safe place if there are any difficulties at home.
- 1.5 This academy recognises the following benefits of working to a confidentiality policy:
  - It highlights the importance of pupils being able to talk to adults in the academy to share their problems in a safe and supportive environment.
  - It safeguards the well being of those involved in the disclosure of confidential information.
  - It builds trust between pupils and staff.
  - It empowers each pupil to exercise control over the choices that will affect their life.
  - It prevents the need to deal with each disclosure as a crisis in isolation. (See guidance on school specific information 1 - Appendix 1)



*Living and Learning Together with God's Help*



## 2.0 Definition of Confidentiality

- 2.1 Confidentiality is an understanding that any information shared with someone in trust can only be passed on to a third party with the agreement of the person disclosing it.

***Please note, in this policy, a 'disclosure' is the sharing of any private/personal information. It is a general term and does not just relate to child protection issues.***

## 3.0 Limits of Confidentiality

- 3.1 Staff, pupils, parents/carers will be informed about the limits of confidentiality in this academy. Some issues have to be shared with other people/agencies e.g. child protection.
- 3.2 Pupils will be advised (wherever possible prior to a disclosure) what kinds of disclosure will require information to be shared, what will be done with the information and who else will have access to it.
- 3.3 Members of staff will be made aware of who (if anyone) to inform in the event of different types of disclosures of a personal nature.
- 3.4 St Leonard's recognises that confidential discussions need to take place in a confidential environment. Public places such as the staffroom, the classroom and the playground are not, in general, confidential environments.
- 3.5 This academy will provide opportunities for its pupils to access confidential support on school premises in the following ways: through making pupils aware that they are able to talk to a member of the school team, this awareness will be raised via Whole Academy Assemblies, Class Assemblies, PSHE/Circle Time sessions.
- 3.6 Parents/carers and pupils have the right to view educational records upon written request. It is therefore not possible to guarantee the confidentiality of recorded information (see - Recording of information in Supporting Information).
- 3.7 **Staff are required to pass on confidential information in the following circumstances:**
- Child protection
  - Where the safe welfare of another pupil/s is in jeopardy
  - Where there is a threat of terrorist activities
  - Where a serious crime has been committed
- 3.8 **Responsibilities to Parents and/or Carers**
- Members of staff are not legally obliged to inform parents/carers in many instances when personal information has been disclosed. (See Guidance on school specific information 3 - Appendix 1).
  - Where it is believed that the pupil may be at emotional or physical risk, or in breach of the law, staff will ensure that the pupil is aware of the risks they face.
  - Staff will encourage the pupil to inform and seek support from their parents/carers.
  - In most cases information provided by a pupil will only be passed to their parents/carers with the pupil's consent.
  - When the school chooses to inform parents/carers it will only be done if it is in the best interests of the child.

### 3.9 **Illegal Activity**

- Members of staff are not obliged to inform the police on most matters relating to illegal activity e.g. illegal drugs activity, assaults
- In the case of illegal activity, the academy will discuss the possible consequences with the pupil and seek the course of action with the most positive outcomes for the pupil.

### 4.0 **Staff Roles and Responsibilities**

- 4.1 All staff (teaching and non-teaching staff) will be made aware of the confidentiality policy and their entitlement to training and support in its implementation.
- 4.2 All staff are under a contractual obligation to uphold the policy as with all other academy policies. Failure to comply with this policy will result in disciplinary procedures being followed.
- 4.3 Staff will be made aware of this policy via staff meetings where it will be discussed and amended as appropriate. The policy will be on the agenda at staff meetings at least annually and will be reviewed on a regular basis.
- 4.4 Staff should seek advice and support for themselves when dealing with a disclosure through discussion with the school's Child Protection Officer (the Head Teacher).

The following external agencies are available to provide support:

<i>Child Protection</i>	-	<i>Lead Officer for Child Protection in Local Authority</i>
<i>Drugs and Alcohol</i>	-	<i>School Drug Advisor, Healthy Schools Team</i>
<i>Pregnancy</i>	-	<i>Teenage Pregnancy Team, Swindon PCT</i>
<i>Sexual Health</i>	-	<i>School Nursing Service, Swindon PCT</i>
<i>Crime/Anti-Social behaviour</i>	-	<i>Swindon Divisional Police, Community &amp; Race Relations</i>
<i>Smoking</i>	-	<i>Swindon Borough Council, Swindon PCT</i>

### 5.0 **Working with External Agencies**

- 5.1 Anyone working with pupils from the academy, particularly on sensitive areas of the curriculum, needs to be made aware of the academy's confidentiality policy.
- 5.2 Academy staff and staff from external agencies will establish at the beginning of lessons dealing with potentially sensitive topics that it is inappropriate to disclose personal information during the lesson. Ground rules need to be agreed which ensure individuals do not pressure one another to answer questions about their own experiences.
- 5.3 Staff will outline the sources of support available to any pupil who may wish to discuss the topics and/or their feelings further on a one-to-one basis.
- 5.4 St Leonard's acknowledges and supports the differences between the role of any non-school staff as educators, and as providers of information and support to pupils. The boundaries between these roles will be clarified and agreed prior to involvement. Any distinctions in terms of confidentiality need to be made clear to pupils.

### 6.0 **Recording Information (See Supporting Information)**

- 6.1 The academy acknowledges that:
- Pupils and their parents/carers have a right to gain access to *processed* information upon written request.
  - Agencies such as the Police and Children Services may be able to get a court order to gain access to *processed* information, which the academy deems confidential. This can also include the Local Authority's legal department and insurers, as well as other solicitors e.g. in custody cases.

- 6.2 Any information recorded about a pupil will be written in a way that assumes it will be read by either the subject or their parents/carers.
- 6.3 In order to comply with the Lord Chancellor's Code of Practice on the Management of Records (issued under section 46 of the Freedom of Information Act 2000), any *processed* information will be stored in accordance with the Schools Record Management Systems.
- 7.0 Monitoring and Evaluation**
- 7.1 The policy will be reviewed after each significant disclosure to ensure that the policy and procedures work appropriately.
- 7.2 This policy will be reviewed on an annual basis in line with other policy documents.
- 7.3 Pupils will be consulted during the review process.
- 8.0 Communicating this Policy**
- 8.1 This policy will be communicated to all academy staff, governors, parents/carers, partner agencies and relevant visitors.
- 8.2 Reference to the policy will be included in the staff handbook.
- 8.3 The policy will be listed on the academy's publication scheme (Freedom of Information Act 2000).
- 8.4 The flow chart for how to deal with confidential disclosures will be displayed on appropriate staff room notice board(s).
- 8.5 A pupil friendly version of the policy will be produced with the help of pupils and made available to pupils. All students will be made aware of its existence, its content and how it might affect them.