



Policy	Confidentiality
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Confidentiality Policy

1. RATIONALE AND STATEMENT ON THE IMPORTANCE OF CONFIDENTIALITY

The Eastern Multi-Academy Trust and all its academies believe that:

- The safety, well-being and protection of our pupils are the paramount consideration in all decisions staff make about confidentiality. The appropriate sharing of information between staff is an essential element in ensuring our pupils well-being and safety.
- It is an essential part of the ethos of our family of academies that trust is established to enable pupils, staff, and parents/carers to seek help both within and outside the academy and minimise the number of situations when personal information is shared to ensure pupils and staff are supported and safe.
- Pupils, 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.
- Our attitude to confidentiality is open and easily understood and everyone should be able to trust the boundaries of confidentiality operating within the trust and its academies.
- Issues concerning personal information including sex and relationships and other personal matters can arise at any time.
- Everyone in the trust/academy community needs to know that no one can offer absolute confidentiality.
- Everyone in the trust/academy community needs to know the limits of 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.

2. DEFINITION OF CONFIDENTIALITY

Confidentiality is defined as **‘something which is spoken or given in private, entrusted with another’s secret or private affairs’**.

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 circumstances where absolute confidentiality is offered in our academies. We strive 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 are followed.

This means that in most cases what is offered 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.

Staff are told to make it clear that there are limits to confidentiality at the beginning of the conversation. These limits relate to ensuring children’s safety and well-being. The student will be informed when a confidence has to be broken for this reason and be involved in the information sharing.

Different levels of confidentiality are appropriate for different circumstances:

1. 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. When a health professional is contributing to a school’s health education programme in a classroom setting, they are working with the same boundaries of confidentiality as a teacher.

2. One-to-one disclosures to members of school staff

It is essential all members of staff know the limits of the confidentiality they can offer to both students and parents/carers and any required actions and sources of further support or help available both for the student or parent/carer, within the academy and from other agencies where appropriate. All staff encourage students to discuss different issues with their parents or carers and vice versa. However, the needs of the student are paramount and the academy staff will not automatically share information about the student with his/her parent/carer unless it is considered to be in the child’s best interests.

3. 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 16's). 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.

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 to under 16's. The duty of care and confidentiality applies to all under-16's. 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 should be referred through child protection procedures.

3. THE LEGAL POSITION FOR STAFF

All trust / academy staff should not promise confidentiality. Students do not have the right to expect they will not be reported to their parents or carers and may not, in the absence of an explicit promise, assume that information conveyed outside that context is private. No member of 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 make about confidentiality. Staff are NOT obliged to break confidentiality except where child protection is or may be an issue, however at the Eastern Multi-Academy Trust we believe it is important staff are able to share their concerns about pupils 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 pupils' safety and well-being is maintained.

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 teachers at our academies receive basic training in child protection as part of their induction and are expected to follow the Academy's child protection policy and procedures.

Visitors and non-teaching staff

The Eastern Multi-Academy Trust expects all non-teaching staff to report any disclosures by students or parents/carers of a concerning nature to the designated child protection co-ordinator as soon as possible after the disclosure and in an appropriate setting, so others cannot over hear. The designated child protection coordinator will decide what, if any, further action needs to be taken.

Parents/carers

The Eastern Multi-Academy Trust believes 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 issue with a member of staff, they will be encouraged to discuss the matter with their parents or carers and be supported to do so where it is appropriate. The safety, well-being and protection of our students is the paramount consideration in all decisions staff make about confidentiality.

Complex cases

Where there are areas of doubt about the sharing of information, the trust / academy will consult with the local authority Safeguarding Unit.

4. SUPPORT FOR STAFF

Staff may have support needs themselves in dealing with some of the personal issues of our students. At Eastern Multi-Academy Trust we prefer staff to ask for help rather than possibly making a poor decision because they do not have all the facts or the necessary training, or taking worries about students home with them.

Staff should discuss any concerns with their line manager, the child protection coordinator or the Principal.

5. LINKS WITH OTHER POLICIES

This policy has links with the following Trust and Academy policies:
Child Protection/Safeguarding, Sex and Relationships, Curriculum (including PHSE), Anti-Bullying, Whistleblowing

Who is responsible for compliance with this policy?

The Local Governing Body/Interim Executive Board is responsible for each academy's compliance with this policy.