

## Confidentiality Policy Framework for Schools in Solihull

### Section 1: Intention

'The governing body of a maintained school shall, in discharging their functions relating to the conduct of the school, promote the well being of pupils at the school.' (Children Act, 2004)

- ☺ Statement and aims of the policy.
- ☺ What is the school mission statement/vision regarding confidentiality?
- ☺ Date of governor approval?
- ☺ Implementation and review dates for the policy?

For this section, you may wish to consider, include, adapt, or complete the following:

- *This school recognises its legal duty under section 175 Education Act 2002 to work with other agencies in safeguarding children and protecting them from "significant harm".*
- *As a recognised Solihull Healthy School, health and wellbeing is central to our core purpose...*
- *We are proud of the positive relationships that exist across our school...*
- *Staff seek to treat pupils in our school...*
- *We encourage pupils, parents and families to talk to us and we aim to make our school a safe place for them to do so...*
- *We actively promote a range of trusted adults for pupils to talk to, including promoting with pupils the importance of talking to and seeking support from their parents and families...*
- *Sharing information unnecessarily is an erosion of trust. The school is mindful that it is placed in a position of trust by all stakeholders and there is a general expectation that a professional approach will be used in all matters of confidentiality.*
- *We aim to empower pupils and their families to exercise control over the choices that will affect their life e.g. through determining for themselves how they would like personal / private information (which is not deemed to be a Child Protection issue) to be shared and with whom*
- *Positive experiences of confidentiality within school will promote trust in a range of confidential services, erode barriers to seeking help and encourage pupils and families to access the support that they need when they need it*

### Section 2: Involvement of the school community

- ☺ How has the whole school community been involved in understanding the issues, consultation and developing this policy? E.g. setting up of a working party
- ☺ Have all school staff had opportunity to know and understand the legal framework under which they must work with regard to the best interests of children and young people?
- ☺ How have you involved children and young people? E.g. circle time, questionnaires
- ☺ How have the voices of hard to reach children and young people been harnessed and fed into this policy?
- ☺ How far have external agencies been made aware of this policy and the expectations upon them? Have they had any involvement in its development?
- ☺ How have you considered the needs of volunteers e.g. parents, grandparents and those on work placement? You may need to refer to the process within Solihull's yellow poster 'Confidentiality for Visitors' here, as clearly explained in section 3.
- ☺ How will the policy be disseminated to the school community?
- ☺ Have you considered incorporating the school's definition of confidentiality into staff handbooks, in pupil planners, on posters for classrooms or in other places which pupils identify?
- ☺ It is important to link the professional expectations of school staff with the Teacher Standards and with [the Solihull Council's Code of Employee Conduct](#), as appropriate.

### Section 3: Definition

- ! How does the policy make clear what you mean, within your school community and context, by the term confidentiality?

How is this expressed appropriately and clearly for school staff, children and young people, parents and families, professionals and other agencies?

***(You may wish to insert some quotes about what confidentiality means in your school, as expressed by different members of the school community).***

NB You need to take into account that some people working in your school will need to work to their own definitions and codes of conduct e.g. Nursing, Midwifery Council. This should be made explicit to children, young people, staff and families.

- ☺ Does the policy make clear the boundaries of confidentiality?
- ☺ Do pupils and staff have a shared understanding of when, who and under what circumstances within school a person may be able to provide confidentiality?

**NB School staff can never promise unconditional confidentiality**

- ☺ How are you ensuring that the policy works under the central premise that the best interests of children and young people are met?

**We use Solihull's Yellow Poster for Visitors; this underpins our whole school community's approach to confidentiality.**

**The expectation for all members of the school community is that they will:**

- ☺ **Help us in providing supportive opportunities for pupils to talk;**
- ☺ **Only talk in a professional manner about pupils and their families;**
- ☺ **Never promise unconditional confidentiality (keeping a secret) to a pupil;**
- ☺ **Where other professionals work to their own codes of practice, confidentiality must be clearly explained to pupils from the outset;**
- ☺ **Where worries exist about a pupil's safety and where there is a need to discuss this with another adult, initial discussions would maintain anonymity. Where this is no longer possible, the pupil would always be informed of the need to share and be appropriately supported;**
- ☺ **Potential safeguarding issues i.e. risk of significant harm, are always referred to the designated member of staff for Child Protection.**

- ☺ Does the policy make clear to parents that a pupil's confidentiality will not normally be breached? What does this mean in your school? Is there a clear statement within your policy about how you will share this with pupils, parents and families?
- ☺ Does the policy make clear the circumstances under which the breaking of confidentiality might be necessary, e.g. Child Protection?

Consider sharing work around confidentiality in the following ways:

Use of the Yellow Poster for all visitors;

Through the school's values and resulting ethos;

Dissemination/consultation process;

Reference in prospectus or on the school website (including protocols within the bullet points on the Yellow Poster);

Posters/guidance promoting talking to trusted adults in school, promoting confidential services e.g. ChildLine included appropriately across the school community e.g. backs of toilet doors, staff notice board, school website;

School planners/diaries

#### **Section 4: Values Framework**

- ☺ What are the values that underpin the schools culture and environment to enable everyone to understand what confidentiality is? E.g. trust, safety, respect, caring, rights and responsibilities

- ☺ What do these values look like in practice? E.g., safety

Safety (example)

All ground rules that support learning and teaching within the classroom include confidentiality:

- We all listen to one another and try to be supportive
- We don't gossip about what's said in our class discussions, but if an adult is worried about our safety (*you will need to find age-appropriate language here that sums up 'significant harm'*) they have to discuss this with another trusted adult
- We think about what we want to share, when we share it and who we share with

- ☺ What are the values that you have identified in your school community, which provide a supportive climate and promote the best interests of pupils?
- ☺ How do these relate to your whole school vision and values?
- ☺ How are these values shared, owned and understood by everyone within your school community?
- ☺ In what ways have members of the school community been given opportunities to explore their own attitudes and values with regard to confidentiality?

**Section 5: Considerations** (\* Indicates statutory policies)

- ! How has the policy taken into consideration statutory policies\* and made links with statements and/or procedures listed?
- ☺ Have you checked consistency across other policies, statements and documents? In particular you may need to look at:
- Answering difficult questions
  - Anti-bullying policy
  - Behaviour Principles written statement\*
  - Child protection\*
  - Climate for learning
  - Complaints\*
  - Contraceptive / sexual health advice
  - Data Protection\*
  - Home-school agreement document
  - Special Educational Needs (SEN)\*
  - Involvement of outside agencies / visitor's policy
  - Managing substance related incidents policy
  - Referral pathways
  - Safeguarding
  - School Behaviour\*
  - Sex and relationships education policy\*
  - Transition and transfer

Have you considered the impact of this work e.g. on circle time, listening mechanisms such as bubble time, peer mediation?

- ☺ Confidentiality will need to be considered and explored when developing ground rules as part of the process for:
- establishing a safe climate for learning;
  - circle time;
  - actively engaging pupils in PSHE learning and across the curriculum;
  - drugs education;

- sex and relationships education;
- handling sensitive and controversial issues;
- drama;
- religious education;
- citizenship.

☺ In writing this policy how have you taken into account:

- the faith/ethnic mix of the school community;
- the age range of pupils in the school;
- health issues locally? (e.g incidents of alcohol/drug use, teenage pregnancy rates, crime rates, Health Related Behaviour Questionnaire responses?)

☺ Different age groups will express what confidentiality means to them in a variety of ways. This will need to be considered carefully when developing a shared, age-appropriate understanding of what confidentiality means to all in your school community.

### **Section 6: Working with and supporting one another**

- ! How has the policy supported external agencies and ensured that partners, on an individual basis, know the levels of confidentiality that all members of staff working on the school site can offer and can expect?
- ! Does the policy make clear the levels of confidentiality that all members of staff working on the school site can offer and can expect?
- ! Does the policy make clear how parents can access confidential discussions with a member of staff regarding any concerns about their child? Is it also clear for parents that information will only be shared on a need-to-know basis, but that where there are potential issues around significant harm, this is always shared appropriately?
- ☺ How far are pupils encouraged to talk to their parents and families about issues raised?
- ☺ Does the policy make clear identified routes of referral for pupils and staff?
- ☺ How do you ensure that staff and pupils know and fully understand the code of professional conduct under which all health professionals are bound and what this means when talking to e.g. school nurses, GPs?
- ☺ How do you ensure that external agencies know and understand the school's confidentiality policy in order to be able to work within it? E.g. Partnership Agreement, Yellow Poster.

### **Section 7: Roles and responsibilities**

- ☺ Are staff roles and responsibilities clearly defined for all staff? E.g. designated member of staff for child protection; pastoral team members
- ☺ Are broader roles and responsibilities clearly defined for pupils, staff and parents / families with regard to confidentiality? E.g. the potential difference between Solihull School Nurses (RGNs) and nurses / first aiders employed by the school
- ☺ Does the policy make clear how staff will be given opportunity to explore their understanding of how to develop ground rules/ establish safe learning environments that provide absolute clarity about confidentiality?
- ☺ How do you ensure that staff know how to access confidential support for themselves? E.g. documentation in staff handbook
- ☺ How confident are staff in signposting pupils to services that provide confidential support?
- ☺ How far and how effectively do you signpost parents and families to sources of confidential support?

### **Section 8: Monitoring and evaluation**

- ! Are there clear structures for reporting, monitoring and evaluating the effectiveness of the confidentiality policy? How is this shared with Governors?
- ! How will written records be kept of circumstances where this policy has not been adhered to?  
Consider how these records are stored securely.
- ! Does the policy state when and how the process of review will take place with the school community?
- ☺ How are pupils involved in the process of policy review?

