



Confidentiality Policy and Confidentiality Agreement

Date Adopted: December 2020

Date Reviewed: November 2022

Author/owner: Board of Trustees (Operations, Audit and Risk Committee)

Review: Triennial

NB. 'Trustees' means the Directors referred to in the Trust's Articles of Association

History of most recent policy changes

| Version | Date | Page | Change | Origin of Change e.g. TU request, Change in legislation |
|---------|---------------|------|--|---|
| V1.0 | December 2020 | | New Policy implemented | |
| V2.0 | November 2022 | | Terminology updated to reflect TLP's new governance structure; review frequency updated | |
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Aim

To ensure that confidentiality and Data Protection Compliance are a natural part of good practice. To provide all staff, representatives and others in school clear, unambiguous guidance as to their legal and professional roles. To make certain that the procedures throughout the school can be easily understood by pupils, parents/carers and staff.

Rationale

Schools hold a lot of confidential information about children, staff and sometimes parents and carers. Whilst it is important that we continue to develop positive ways to use that information, we all recognise that it is our responsibility to use, hold and safeguard information received.

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. Our obligation to comply with the Data Protection Act 2018, the UK GDPR and other legislation and statutory guidance underpins our management of data.

Objectives

- To provide consistent messages in school about handling information about children and adults once it has been received.
- To foster an ethos of trust within the school.
- To ensure that staff, representatives, volunteers, students, parents, and pupils are aware of the school's confidentiality policy and procedures.
- To reassure pupils that their best interests will be maintained.
- To encourage pupils to talk to their parents and carers.
- To ensure that pupils and parents/carers know that school staff cannot offer unconditional confidentiality.
- To ensure that if there are child protection issues then the correct procedure is followed.
- To ensure that confidentiality is a whole school issue and that everyone understands their personal responsibilities.

Guidelines

- All information about individuals is private and should only be shared with those staff that have a need to know.
- All social services, medical and personal information about a child should be held in a safe and secure place which cannot be accessed by individuals other than school staff.
- The school continues to actively promote a positive ethos and respect for the Individual.
- The Safeguarding Policy will be applied, and monitored by appropriate school personnel.
- All children and adults have a right to the same level of confidentiality irrespective of gender, race, religion, medical concerns, and special educational needs.

Day to Day Practice

Confidentiality is a whole school issue. Even when sensitive information appears to be widely known it should not be assumed by those immediately involved that it is appropriate to discuss or share this information further.

Health professionals have their own code of practice dealing with confidentiality. Staff should be aware of children with medical needs and the class information sheet should be accessible to staff who need that information but not on general view to other parents/carers and children.

Information about children will be shared with parents and carers but only about their child. **Parents should not have access to any other child's books, marks and progress grades at any time**

especially at parents evening.

All personal information about children including social services records should be regarded as confidential. It should be clearly understood by those who have access to it, and whether those concerned have access to all, or only some of the information.

Information regarding health reports such as speech therapy, medical reports, SEN reports, SEN minutes of meetings and social services minutes of meetings and reports will be circulated in envelopes / files and once read should be returned for secure filing.

In all other notes, briefing sheets etc. a child should not be able to be identified. Addresses and telephone numbers of parents and children will not be passed on except in exceptional circumstances or to a receiving school.

Staff should exercise prudence and consider the dignity of individuals during conversations on the school site, for example in the staff room, particularly if non-members of staff are present and in the presence of children.

Non-members of staff, for example, students and voluntary helpers, will be asked to follow the principles of the confidentiality policy and sign a confidentiality agreement.

Representatives/Trustees

Representatives/Trustees need to be mindful that from time to time issues are discussed or brought to their attention about staff and children. All such papers should be marked as confidential and should be copied onto different coloured paper.

These confidential papers should be destroyed after use.

Representatives/Trustees must observe complete confidentiality when asked to do so by the governing body, especially in relation to matters concerning individual staff, pupils or parents.

Representatives/Trustees will sign a confidentiality agreement annually.

Although decisions reached at governors' meetings are normally made public through the minutes or otherwise, the discussions on which decisions are based should be regarded as confidential.

Representatives/Trustees should exercise the highest degree of prudence when discussion of potentially contentious issues arises outside the governing body.

Monitoring and Evaluation

The policy will be reviewed as part of the Trust's monitoring cycle.

Conclusion

Each school has a duty of care and responsibility towards pupils, parents/carers, and staff. It also needs to work with a range of outside agencies and share information on a professional basis. The care and safety of the individual is the key issue behind this document.

Policy agreed by representatives and shared with staff, volunteers and the school community.

Agreement

I have read the policy and understand the obligations/responsibilities I hold under this policy in my role.

Signed:
