



Confidentiality Policy

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1 POLICY STATEMENT

- 1.1 The Senior Leadership Team and Trustees of the Island Project School (“the School”) recognise that it is important to have an established procedure for dealing with confidentiality, which is understood by pupils, staff, parents, carers and visitors rather than develop ad hoc arrangements in response to a crisis.
- 1.2 The use of the word “School” includes the School site at Diddington Hall and the College site at Birmingham Road.
- 1.3 Confidentiality at the School covers:
- (a) disclosures made by pupils to members of Staff, volunteers, professionals, parents and carers
 - (b) the business of the School, dealings with local authorities and third parties, information in relation to the pupils and their parents, information on the running of the School.
- 1.4 Confidentiality in relation to disclosures made in accordance with paragraph 1.3(a) above are covered by this Policy.
- 1.5 Confidentiality in relation to 1.3(b) above are covered by, amongst others, the Data Protection Act 1988, the School’s Child Protection Policy, Data Protection and Data Breach Notification Policy and the Social Media Policy.
- 1.6 The procedures need to be consistent and protect the interests of both pupils and staff as well as the School itself
- 1.7 Having a policy in relation to disclosures made in accordance with paragraph 1.3(a) helps to ensure there is a shared understanding of how confidentiality operates in our School. A consistent shared ethos and practice will help pupils, staff, parents, carers and visitors deal with and know where they stand with confidential issues and will help us deal with disclosure of information and establish ways of working which respect privacy and avoid unnecessary personal disclosure
- 1.8 At the School we believe that:
- (a) The safety, well-being and protection of our pupils are the paramount consideration in all decisions Staff at the School make about confidentiality.

- (b) The appropriate sharing of information between members of Staff is an essential element in ensuring our pupils well-being and safety.
- (c) It is an essential part of the ethos of our School that trust is established to enable pupils, 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 pupils and staff are supported and safe
- (d) 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.
- (e) 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.
- (f) Issues concerning personal information including sex and relationships and other personal matters can arise at any time.
- (g) Everyone in the School needs to know that no one can offer absolute confidentiality.
- (h) Everyone in the School needs to know the limits of confidentiality that can be offered by individuals within the School so that they can make informed decisions about the most appropriate person to talk.
- (i) It forms part of the induction of all new staff, including voluntary staff and is reviewed every 2 years.

2 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 confider has the belief that the confidant will not discuss the content of the conversation with another. 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.
- 2.3 In practice there are few situations where absolute confidentiality is offered in the School. We have tried to strike a balance between ensuring the safety, well-being

and protection of our pupils and Staff, ensuring there is an ethos of trust where pupils 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 Different levels of confidentiality are appropriate for different circumstances.

(a) In the course of a lesson given by a member of Staff or an outside visitor, including health professionals.

(b) Careful thought needs to be given to ensure confidential disclosures are not made at inappropriate times and it is recognised that the pupils who are trying to communicate any confidential information should be allowed to make disclosures in a safe environment and that Staff must be aware of the need in an open plan setting to access the quiet area with support should a child require to communicate in open class time. Due to the nature of the pupils and their communication difficulties all disclosures should be recorded verbatim including symbols and gestures. We do not anticipate due to the nature of pupils communication difficulties that full and verbal disclosures will be made, however all staff will receive comprehensive child protection training and understand the procedures for listening to children in their care.

(c) When a health professional is contributing to a school health education programme in a classroom setting, s/he is working with the same boundaries of confidentiality as all members of staff within the school.

(d) In the event of staff (including volunteers) having concerns about a child's behaviour or injuries or disclosure, however insignificant this might appear to be, the member of staff should discuss this with a Designated Member of Staff as soon as is practically possible. Further details can be found in the Child Protection Policy and Procedures, which all members of staff must be familiar with.

(e) More serious concerns must be reported immediately to ensure that any intervention necessary to protect the child is accessed as early as possible in accordance with the Child Protection Policy and Procedures.

3 THE LEGAL POSITION FOR SCHOOL STAFF

- 3.1 Members of Staff at the School (including non-teaching and voluntary staff) should not promise confidentiality. Pupils do not have the right to expect that incidents will not be reported to his/her parents/carers and may not, 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.
- 3.2 The safety, well-being and protection of the child is the paramount consideration in all decisions staff at this school make about confidentiality.
- 3.3 School staff are NOT obliged to break confidentiality except where child protection is or may be an issue. However, at the School we believe it that is important that 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. Members of Staff should discuss such concerns with their Unit Head, the School Manager or a Designated Member of Staff.

4 THE LEGAL POSITION FOR SPECIALIST TEACHERS AND PROFESSIONAL STAFF

- 4.1 Professional judgement is required by all professionals 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 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.
- 4.2 All members of Staff will receive basic training in child protection as part of their induction to this School and are expected to follow the Schools' Child Protection Policy and Procedures at **all** times

5 THE LEGAL POSITION FOR PARENTS AND CARERS

- 5.1 The School believes that it is essential to work in partnership with parents and carers and we will include parents/carers in the long term planning of their child's behaviour and communication profile and have regular meetings to appraise them of their child's progress at School, including any concerns.
- 5.2 The safety, well-being and protection of our pupils is the paramount consideration in all decisions Staff at this School make about confidentiality.
- 5.3 When confidentiality should be broken and procedures for doing this:

6 WHEN CONFIDENTIALITY SHOULD BE BROKEN AND THE PROCEDURES FOR DOING THIS

- 6.1 Full details are contained in the Child Protection Policy and Procedures which all members of Staff **must** familiarise themselves with
- 6.2 Where this does not apply and/or if you are still concerned and unsure of whether the information should be passed on or other action taken you should speak to the Head of School, Head of Further Education or a Designated Safeguarding Lead.

7 THE PRINCIPLES WE FOLLOW AT THE SCHOOL

- 7.1 Any member of Staff should ensure so far as possible that the time and place are appropriate. When they are not, we reassure the child that we understand they need to discuss something very important and that it warrants time, space and privacy.
- 7.2 See the child normally (and always in cases of neglect, or abuse) before the end of the School day. More serious concerns must be reported immediately to ensure that any intervention necessary to protect the child is accessed as early as possible.
- 7.3 Tell the child we cannot guarantee confidentiality if we think they will:
 - (a) hurt themselves
 - (b) hurt someone else
 - (c) or they tell us that someone is hurting them or others
- 7.4 Members of staff must not interrogate the child or ask leading questions as this can jeopardise any subsequent course of action
- 7.5 We won't put children in the position of having to repeat distressing matters to several people
- 7.6 Inform the pupil first before any confidential information is shared, with the reasons for this
- 7.7 Encourage the pupil, whenever possible to confide in his/her own parents/carers

8 SUPPORT FOR STAFF

- 8.1 Staff may have support needs themselves in dealing with some of the personal issues of our pupils. At the School we prefer you to ask for help rather than possibly making a poor decision because you don't have all the facts or the necessary training, or taking worries about pupils home with you. We all work together as part of a team to support our pupils and asking for help is a way we ensure that the School is a happy and safe learning environment.
- 8.2 The School has access to an Employee Assistance Programme, through which we are able to offer confidential counselling and support services to staff.
- 8.3 Staff should be aware that it is not always possible to guarantee absolute confidentiality. If it becomes necessary to share any personal information, this will always be on a "need to know basis" with people of appropriate seniority.

9 ONWARD REFERRAL

- 9.1 A Designated Safeguarding Lead (or a deputy DSL), is responsible for referring pupils to outside agencies from the School. It is best to go through the normal reporting channels unless you believe a child protection referral to the police or LSCB is necessary and the DSL does not agree. Further details of your obligations in relation to referrals to outside agencies are set out in the Child Protection Policy and Procedures.
- 9.2 You should remember that it is everyone's duty to safeguard our pupils.

10 DISSEMINATION AND IMPLEMENTATION

- 10.1 This policy is to be distributed to all staff, including volunteers, as part of Staff Induction or at the School as part of a whole school training day, where all staff received training on the content and practical applications of the policy.
- 10.2 All new staff, including volunteers, will receive a copy of the policy, together with basic training on the school's Child Protection Policy and procedures.