

CONFIDENTIALITY POLICY

A route to a positive future :

Committed to providing a quality education to pupils with complex needs, including autism and sensory impairment in West Berkshire and Greater Reading



Reviewed : Autumn 2016
Due for Review : Autumn 2017
Policy Holder : B Mills

Brookfields School Equalities Statement

All pupils at the school are offered a broad, balanced, stimulating and relevant curriculum regardless of their background, culture or ability. Each pupil is valued for who they are and what they bring to the school. We appreciate and celebrate the richness of diversity within the school community as well as the wider community. Through the work we do across the school on developing Values, we actively promote the importance of tolerance, co-operation, courage, determination, friendship and respect. Through this approach, pupils develop independence, confidence and integrity which prepares them for their future lives.

At Brookfields School we believe that:

- The safety, wellbeing and protection of our pupils are the paramount consideration in all decisions staff at this school make about confidentiality.
- 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.
- 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.
- 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.
- Issues concerning personal information including sex and relationships and other personal matters can arise at any time.
- Everyone in the school community needs to know that no-one can offer absolute confidentiality.
- Everyone in the school community needs to know the limits of confidentiality that can be offered by individuals within the school 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.

Definition of Confidentiality

The dictionary definition of confidential is "something which is spoken or given in confidence; private, entrusted with another's secret affairs".

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.

In practice there are few situations where absolute confidentiality is offered in Brookfields 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 safeguarding issues and good practice are followed.

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.

The general rule is that staff should make clear that there are limits to confidentiality, at the beginning of the conversation. These limits relate to ensuring childrens' safety and well being. The pupil will be informed when a confidence has to be broken for this reason and will be encouraged to do this for themselves whenever this is possible.

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 pupils that this is not the time or place to disclose confidential, personal information.
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 a teacher.
2. One to one disclosures to members of school staff (including voluntary staff).
It is essential all members of staff know the limits of the confidentiality they can offer to both pupils and parents/carers (see note below) and any required actions and sources of further support or help available both for the pupil or parent/carer and for the staff member within the school and from other agencies, where appropriate. All staff at this school encourage pupils to discuss difficult issues with their parents or carers, and vice versa. However, the needs of the pupil are paramount and school staff will not automatically share information about the pupil with his/her parents/carers unless it is considered to be in the child's best interests.

(Note: That is, that when concerns for a child or young person come to the attention of staff, for example through observation of behaviour or injuries or disclosure, however insignificant this might appear to be, the member of staff should discuss this with the Designated Safeguarding Person (Jane Headland, Brandon Mills, Sara Attra or Catherine Bernie) as soon as is practically possible. More serious concerns must be reported immediately to ensure that any intervention necessary to protect the child is accessed as early as possible. (Please see the school Safeguarding Policy).

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 pupils provided they are competent to do so and follows the Fraser Guidelines (guidelines for doctors and other health professionals on giving medical advice to under 16s). School nurses are skilled in discussing issues and possible actions with young people and always have in mind the need to encourage pupils to discuss issues with their parents or carers. However, the needs of the pupil are paramount and the school nurse will not insist that a pupil's parents or carers are informed about any advice or treatment they give.

4. The legal position for school staff:

School staff (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.

The safety, wellbeing and protection of the child is the paramount consideration in all decisions staff at this school make about confidentiality.

School staff are NOT obliged to break confidentiality except where Safeguarding is or may be an issue, however at Brookfields School 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 wellbeing is maintained. School staff should discuss such concerns with their line manager or the Designated Safeguarding Person.

5. Teachers, counsellor 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 Safeguarding issues.

All staff at this school receive basic training in Safeguarding as part of their induction to this school and are expected to follow the school's Safeguarding policy and procedures.

6. Visitors and non-teaching staff:

At Brookfields School, we expect all non-teaching staff, including voluntary staff, except those identified in the paragraph above, to report any disclosures by pupils or parents/carers, of a concerning personal nature to the Designated Safeguarding Person as soon as possible after the disclosure and in an appropriate setting, so others cannot overhear. This is to ensure the safety, protection and well being of all our pupils and staff. The Designated Safeguarding Person will decide what, if any, further action needs to be taken, both to ensure the pupil gets the help and support they need and the member of staff also gets the support and supervision they need.

7. Parents/carers:

Brookfields School 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 pupils can share any concerns and ask for help when they need it. Where a pupil does discuss a difficult personal matter to staff at Brookfields School, they will be encouraged to also discuss the matter with their parent or carer themselves.

8. Links to other school policies and procedures:

This policy is intended to be used in conjunction with the school's policies on PSHE

Drugs

Sex and Relationship

Safeguarding

Bullying

Behaviour

Whistle-Blowing (Confidential Reporting Code)

9. When confidentiality should be broken and procedures for doing this:

See the Safeguarding Policy

Where this does not apply and you are still concerned and unsure of whether the information should be passed on or other action taken you should speak to Jane Headland.

If the Headteacher issues instructions that s/he should be kept informed, all staff must comply. There is always a good reason for this, which you may not know about.

10. The principles we follow at Brookfields School are that in all cases we:

Ensure 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.

- 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.
- Tell the child we cannot guarantee confidentiality if we think they will:
 - i. Hurt themselves
 - ii. Hurt someone else
 - iii. Or they tell us that someone is hurting them or others
- Not interrogate the child or ask leading questions
- We will not put children in the position of having to repeat distressing matters to several people
- Inform the pupil first before any confidential information is shared, with the reasons for this
- Encourage the pupil, whenever possible to confide in his/her own parents/carers.

11. Support for staff:

Staff may have support needs themselves in dealing with some of the personal issues of our pupils. At Brookfields 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. There are many agencies we can refer pupils to who need additional support and we have procedures to ensure this happens. We all

work together as part of a team to support our pupils and asking for help is a way we ensure Brookfields School is a happy and safe learning environment. Brookfields School teaching staff should discuss any concerns about pupils with Jane Headland or the Designated Safeguarding Person.

12. Onward referral:

Jane Headland, Brandon Mills, Sara Attra and Catherine Bernie the Designated Safeguarding Persons, are responsible for referring pupils to outside agencies from the school. ('What to do if you are worried a child is being abused', DfES, HO, etc. 2003).

13. Dissemination and implementation:

The content and practical implications of this policy will be revisited regularly on staff training days.

All new staff, including volunteers, are directed to a copy of the policy, on the staff shared drive, together with basic training on the school's Safeguarding Policy and procedures from the Designated Safeguarding Person.

See - <http://www.proceduresonline.com/berks>.

Reviewing Policies

This policy will be reviewed and updated every year.

Signed:
Policy Holder

Date:

Signed:
Headteacher/Governor

Date: