**ST PATRICK’S PRIMARY SCHOOL, HILLTOWN**



**confidentiality policy**

**February 2021**

**Progress through partnership**

**Our Confidentiality Policy is disseminated to all new staff.**

**Rationale**

St Patrick’s P.S. is a Rights Respecting School and this policy reflects the following Articles of the UN Convention on the Rights of the child: Article 3 (best interests of the child), Article 5 (parental guidance and a child’s evolving capacities), Article 12 (respect for the view of the child), Article 14 (freedom of thought, belief and religion) and Article 16 (right to privacy).

At St Patrick’s Primary School we believe that:

* The safety, well-being and protection of our pupils are the paramount consideration in all decisions staff at this school make about confidentiality. The appropriate sharing of information between school staff is an essential element in ensuring our pupils’ well-being and safety.
* It is an essential part of the school ethos that trust is established to enable pupils, staff and parents/carers to seek help both within and outside the school in order to 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 discussing personal issues and concerns, including relationships.
* The school’s attitude to confidentiality is easily understood and everyone should be able to trust the boundaries of confidentiality operating within the school.
* Issues concerning personal information 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, relationship or other personal issue they want to discuss.

**Definition of Confidentiality**

Confidentiality is defined as ‘something which is spoken or given, entrusted with another’s secret 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 own conversation completely secret and discuss it with no-one.

In practice there are few circumstances where absolute confidentiality is offered in our school. We strive 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/safeguarding 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 should 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 pupil 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 pupils that this is not the time or place to disclose confidential personal information, but ensure that you address the issue before the end of the school day. When a health professional is contributing to a school’s health education programme in a classroom setting, they are working within 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 pupils and parents/carers and any required actions and sources of further support or help available both for the pupil or parent/carer, within the school and from other agencies where appropriate. All staff at St Patrick’s encourage pupils to discuss different issues with their parents/carers and vice versa.

However, the needs of the pupil are paramount and the 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. There are occasions when sharing information with parents/carers could put the safety of the pupil at risk.

**The Legal Position for School Staff**

School staff should not promise confidentiality. Pupils 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 this school’s 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 at St Patrick’s make about confidentiality.**

School staff are **not** obliged to break confidentiality except where child protection is or may be an issue, however at St Patrick’s Primary School we believe it is important staff are able to share their concerns about pupil’s safety so that 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/safeguarding issues.

All teachers at this school receive basic training in child protection/safeguarding as part of their induction to this school and are expected to follow the school’s child protection/safe-guarding policy and procedures.

**Visitors and non-teaching staff**

At St Patrick’s Primary School we expect all non-teaching staff to report any disclosures by pupils or parents/carers of a concerning nature to the designated child protection/safe-guarding co-ordinator as soon as possible after the disclosure and in an appropriate setting, so others cannot over hear. The designated child protection/safe-guarding teacher will decide what, if any, further action needs to be taken.

**Parents/carers**

St Patrick’s Primary 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 issue with staff at St Patrick’s Primary School, the pupil will be encouraged to also discuss the matter with their parents or carers and may be supported to do so where it is appropriate.

**When information must be shared and the procedures for doing this**

We will explain to the child or young person that we must share information to make sure they are helped if we are worried that:

a) they are hurting themselves

b) someone is hurting them

c) they are hurting someone else

Also, confidentiality cannot be guaranteed where:

a) a pupil needs urgent medical treatment

b) a serious crime is involved

**The principles we follow at St Patrick’s Primary 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.
* Aim to see the child before the end of the school day, except in cases of neglect or abuse when the child will **always** be seen 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.
* Do not interrogate the child or ask leading questions.
* 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.

**Support for Staff**

Staff may have support needs themselves in dealing with some of the personal issues of pupils. At St Patrick’s Primary School we urge staff to seek help rather than possibly make a poor decision because they don’t have all the facts or the necessary training, or allow school based issues to transgress into their personal life. Staff should discuss any concerns with the Principal, Miss Lawless.

**Links with other Policies**

This policy has links with the following school policies:

* Child Protection/Safeguarding
* PSHE
* Relationships and Sex Education
* Drug Education
* Anti-Bullying
* Pastoral Care
* E-Safety policy

**Dealing with Disclosures Flowchart**

**Know Your School’s Confidentiality Policy**

A pupil starts to talk to you about something important to them.

Make the pupil aware that you may not be able to keep certain information confidential. Give examples, such as child protection and other exceptions from your school’s policy.

Find a suitable place to listen to the pupil’s concerns where there will be no interruptions. Remember significant points for possible recording afterwards.

**If you think action /referral is required.**

**If you are unable to decide whether action is needed.**

**If you think only listening is needed**

Initiate the school’s child protection procedures

If supported referral to a specialist health or advice service is necessary

Inform pupil of requirement to make a referral and support them through the process.

Find appropriate and confidential means of support for both the pupil and yourself

Discuss anonymously with the nominated child protection teacher in order to make a professional judgement.

**Child Protection**

**Not Child Protection**

Re-assure the pupil that they can come back to you to talk about this or any other matter.

At some later date

Speak to pupil to enquire about remaining or fresh concerns

Consent withheld

Seek the pupil’s consent for the involvement of another agency or person.

Consent given

When pupil no longer requires

support

Arrange an appointment with the agency/professional.

Explain the possible consequences of their decision.

If consent to involve a third party continues to be withheld, seek anonymous advice from child protection teacher or specialist service

**No Further Action**

Let the pupil know that you are still supporting them, without trying to elicit further information from them.

Accompany pupil to appointment if appropriate.

If matter appearsresolved