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1 Principles

- The duty of confidentiality owed to a person under the age of 16 in any setting is the same as that owed to an adult
- Principles should define protocols which govern the receipt and disclosure of information
- Requirements regarding the use of confidential information should be governed by the data protection act 1998
- The Governing Body will act in accordance with section 175 of the Education Act 2002 to safeguard and promote the welfare of pupils in school
- The school will follow the inter-agency Child Protection Procedures – November 2000, adopted by the Dorset Local Authority, referenced in the 'yellow file' and updated regularly
- This policy should be read in conjunction with the schools Sex and Relationships Education Policy, Child Protection policy, Drugs Education Policy and Behaviour Policy

2 Procedures

- Schools need to be aware of external agency policies and the differences between these agencies' policies and those of the school, in particular the difference in levels of confidentiality offered e.g teachers, school nurses and other health professionals
- If any questions or concerns arise related to child protection issues all staff members should be aware of the named child protection officer and referral procedures (Refer to Child protection policy)

All action is taken in line with the following guidance:

- Bournemouth, Dorset and Poole Inter-Agency Child Protection Procedures & Guidance
- DfES Guidance (0027/2004) – Safeguarding Children in Education
- OFSTED 2002. Sex and Relationships. A report from Her Majesty's Chief Inspector of Schools
- Best practice guidance for doctors and other health professionals on the provision of advice and treatment to young people under 16 on contraception, sexual & reproductive health, 2004
- Home Office, 2003. Sexual Offences Act
- DfES, 2004. The Children Act
- DfES, 2004 Every Child Matters
- Sex and Relationship Education Guidance 2005 Dorset Curriculum Guidance

3 Role of

a Pupil/Student

- All pupils should know there is an adult within school they can talk to about sensitive personal issues
- Pupils and Students will be made aware of the boundaries of confidentiality before they are encouraged to discuss information
- Pupils and Students should encourage each other to seek further advice from an appropriate adult in school when sensitive issues apply and where these issues might impact on the health and safety of the pupil/student.
- The school should make it clear pupils and students that they should not put pressure on one another to answer questions about their own experiences where this would make them feel uncomfortable

b School Staff including Teaching Assistants

- The school should make it clear to teaching assistants and other school staff, are not able to offer pupil/students or their parents unconditional confidentiality
- If staff receive information about behaviour likely to cause harm to the pupil or to others, they must pass it on to the school's named child protection officer in line with child protection procedures

c Agencies and Visitors

- Health professionals are bound by their professional codes of conduct in a one-to one situation with individual pupils, but in a classroom situation they should follow the school's confidentiality policy
- Any outside agency has a responsibility to report back to the appropriate member of staff to confirm initial contact has been made
- Wherever possible agencies will work in partnership with the school to ensure the best outcome for the pupil/students involved

d Parents/Carers

- Schools should ensure parents are clear about the school's confidentiality policy and the role of teachers and staff working within the school (this includes the pupil's right to confidentiality)
- Schools should ensure parents are clear about the differences between the school's and external agencies' policies with regard to confidentiality

- Schools should be prepared to signpost parents to other relevant guidance, documentation and external agency policies

e Governors/SLT/Head teacher

- The head teacher needs to make clear to all staff the circumstances when he/she needs to be informed, and the importance of written information when informing the head teacher
- It is the role of the head teacher and governors to make clear to parents what level of information will be made available to them and under what circumstances. For example information regarding emergency contraception, drug and alcohol misuse and emergency sexual health issues (see appendix 1)
- It is the governors' role to ensure that the confidentiality policy is reviewed annually

4 Record Keeping and Information Sharing

- All incidents, information and concerns need to be recorded, dated and signed
- All sensitive, private and confidential information must be held securely by the designated staff (Care should be taken that this information is only shared on a need to know basis)
- Personal data should be processed in accordance with the rights of individuals under the Data Protection Act 1998
- Schools/parents should be made aware of the Bournemouth, Poole and Dorset information sharing protocol. For further guidance see www.dorsetforyou.gov.uk

5 Referral

- Schools and teachers need to be clear about the different referral procedures required by each outside agency
- Schools should have a clear statement with regard to referral/procedures e.g can a member of staff refer directly to an outside agency without reference to the headteacher/SLT?

6 Training

- Information, guidance and training of all new staff (teaching and non-teaching) should include reference to confidentiality policy and procedures. Training updates should include changes made to outside agency policy or procedures.