

# The Federation of the Church Schools of Shalfleet and Yarmouth

## Achieving Together for a Brighter Future



# CONFIDENTIALITY A STATEMENT OF POLICY

Approved by	DD
Portfolio	Staff
Approved on	Autumn 2020
Review date	Autumn 2023
Review Cycle	3 Year
Policy Type	Non Statutory
Ratified/FGM Date	

Signed \_\_\_\_\_ Date \_\_\_\_\_

## **Aim**

To protect the child at all times and to give all staff involved clear, unambiguous guidance as to their legal and professional roles and to ensure good practice throughout the federation, which is understood by pupils, parents/carers and staff.

## **Rationale**

The Federation of the Church Schools of Shalfleet and Yarmouth seeks to put the child at the heart of the learning process and to provide a safe and secure learning environment. It seeks to address the issues which may arise about confidentiality.

It is committed to developing creative and positive ways for the child's voice to be heard whilst recognising the responsibility to use, hold and safeguard information received.

The federation 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.

The federation 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. Striking an effective and professional balance between these two aims is crucial to the success of a confidentiality policy.

## **Objectives:**

1. To provide consistent messages in the federation about handling information about children once it has been received.
2. To foster an ethos of trust within the federation.
3. To ensure that staff, parents and pupils are aware of the federation's confidentiality, policy and procedures.
4. To reassure pupils that their best interests will be maintained.
5. To encourage children to talk to their parents and carers.
6. To ensure that pupils and parents/carers know that federation staff cannot offer unconditional confidentiality.
7. To ensure that there is equality of provision and access for all including rigorous monitoring of cultural, gender and special educational needs
8. To ensure that if there are child protection issues then the correct procedure is followed.
9. To ensure that confidentiality is a whole federation issue and that during lessons ground rules are set for the protection of all.
10. To understand that health professionals are bound by a different code of conduct.
11. To ensure that parents have a right of access to any educational records school may hold on their child but not to any other child that they do not have parental responsibility for.

## **Guidelines**

1. All information about individual children is private and should only be shared with those staff who have a need to know.
2. 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 federation staff.
3. The federation continues to actively promote a positive ethos and respect for the individual:
  - a) Designated Safeguarding Officers receive regular safeguarding training. The Headteacher has ultimate responsibility for child protection.
  - b) There is clear guidance for procedures for the handling of child protection incidents. All staff have regular training on child protection issues.
  - c) There is clear guidance for procedures if a member of staff is accused of inappropriate conduct.
  - d) Staff are aware that effective relationships and sex education which brings an understanding of what is and is not acceptable in a relationship, can lead to disclosure of a child protection issue.
  - e) Staff are aware of the need to handle all issues about different types of families in a sensitive manner.
  - f) Any intolerance about gender, faith, race, culture or sexuality is unacceptable and should follow the schools discipline policy.
  - g) Information collected for one purpose should not be used for another.
4. Parents/carers and children need to be aware that the federation cannot guarantee total confidentiality and the federation has a duty to report child protection issues.

5. The federation prides itself on good communication with parents and carers and staff are always available to talk to both children and parents/carers about issues that are causing concern. The federation encourages children to talk to parents/carers about issues causing them concern and may in some cases support the children to talk to their parents. The school would share with parents any child protection disclosure before going on to inform the correct authorities unless they felt that to do so would put the child at risk of harm.
6. Parents/carers and children should feel reassured that in exceptional circumstances confidentiality will be broken.
7. All children have a right to the same level of confidentiality irrespective of gender, race, religion, medical concerns and special educational needs. A lot of data is generated in schools by these categories but individual children should not be identified.
8. The federation has appointed senior members of staff as Child Protection Officers. Child protection procedures are understood by staff and training is undertaken every year for all staff.
9. Confidentiality is a whole federation issue. Clear ground rules must be set for any classroom work such as circle time and other PSHE sessions dealing with sensitive issues such as death etc. Strategies are in place and all children are aware of them for dealing with sensitive information which may fall outside the boundaries of child protection procedures. The federation needs to be proactive so children feel supported but information is not necessarily revealed in a public arena. 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.
10. 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 the information, but not on general view to other parents/carers and children.
11. Photographs of children should not be used without parents/carers permission especially in the press and on the internet and further details about this is available.
12. Information about children will be shared with parents but only about their child. Parents should not have access to any other child's books, marks and progress at any time, especially at parents' evening. However, parents should be aware that information about their child will be shared with the receiving school when they change school. 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

## **Appendix**

'Confidentiality' also refers to protecting the information we hold about the pupils in this federation and their families. All staff will endeavour to maintain confidentiality when appropriate, for example by considering the conversations they have about pupils and their families, the purpose of these conversations and where these take place. All students and helpers at the school will be made aware of this through our Confidentiality Statement (see below).

### **Confidentiality Statement:**

All conversations regarding the federation, individual children and their families will be regarded as confidential by all members of staff including students and volunteers at all times.

### **Record Keeping**

The federation shall keep the following records:-

- Pupil Education Records
- Pupil Admission Documents and Personal Information
- Personnel Records
- Financial Records
- Curriculum Policy Documents
- Non-Curricular Policy Documents

## **PUPIL EDUCATION RECORDS**

### **Keeping, Disclosure and Transfer**

The federation shall keep and update curricular records on pupils, covering their academic achievements, other skills and abilities and progress in school. (This may well include summative records, formative records, examples of work, copies of reports and profiles, SATS results). Other material, although not mandatory may also be recorded. The curricular record, together with this additional material will comprise a pupil's educational record.

Confidential reports (e.g. from Social Services, Psychological Reports etc.) must be kept separately from the above general information.

Pupils' educational records (except for exempted material) shall be disclosed on request to parents within the time specified by the statute in force at the time, and to schools considering a pupil for admission or following a request from another school after transfer.

The federation shall provide an opportunity for the correction of inaccurate educational and personal records. Governors shall consider appeals against any decision by the Headteacher or any teacher with delegated authority to refuse to disclose, transfer, copy or amend a pupil's record.

### **PUPIL ADMISSION DOCUMENTS**

The School shall keep admission records specifying any information required by the LA, School Governors or DFE relating to pupils on roll at the time. These shall be kept up-to-date and amended as and when pupils join or leave the federation, providing that the keeping of such information does not contravene any law or statute in operation at the time.

### **PERSONNEL RECORDS**

The federation shall maintain records of personnel relating to their qualifications, experience, length of service, salary levels. Performance Management statements shall be the property of the employee and shall not be maintained with the above records and shall not be used in any way other than at the request of, or with the permission of the employer. A single copy of performance management may be kept securely in the Headteacher's office.

Application forms of applicants (and references) for vacant posts will be kept securely in the school office until an appointment has been made. The successful applicant application and references are then filed securely within their personnel file. Unsuccessful candidate's information is kept securely on file.

References for staff within the school for posts outside it shall be kept securely by the Headteacher and shall not be kept with the personnel records in Paragraph 1 of this section.

### **FINANCIAL RECORDS**

Records of the federation's financial controls and budget shall be kept in accordance with current DFE and LA regulations and shall be made available for inspection by the proper authorities under those statutes and regulations.

### **CURRICULUM POLICY DOCUMENTS**

Documents which describe the federation's policies on areas, subjects of the curriculum, topics, schemes of work etc. shall be maintained up-to-date and available for inspection by authorised persons (e.g. parents, advisors, inspectors, governors etc.). The Headteacher will maintain an electronic copy of each document in safe keeping and available for inspection by authorised and appropriate personnel.

### **NON-CURRICULAR POLICY DOCUMENTS**

Documents which describe the federation's policies on non-curricular matters as required by the Governing Body, Ofsted, LA or DFE shall be prepared, maintained and kept up-to-date and made available to authorised persons as required. A list of the required policies shall be made available also and updated as appropriate. These policies shall include the Ground Rules of each committee of the Governing Body as they exist at the time.

#### **Destruction of Documents**

##### **1.1**

The attached document sets out the policy and principles which are to form The Federation of the Church Schools of Shalfleet and Yarmouth's Retention, Disposal and Destruction Guidelines.

##### **1.2**

Where appropriate, existing countywide policy has been adhered to – particularly in the area of Financial Records and audit requirements. Where there has been no specific legislative requirement for the retention or disposal of records, advice has been sought from the Local Authority on best practice.

1.3  
Much of the paperwork relating to Child Care is statute based and the retention periods quoted are legally required.

1.4  
Where records are archived electronically, the same retention periods apply as if they were paper based records.

1.5  
Individual records may be retained longer, with the specific approval of the Director of Children's Services

1.6  
Once case files are closed, they should be retained for up to 12 months within the area offices and then archived.

1.7  
Before they are archived, all files should have a destruction date clearly marked on the front cover and contain a tracking sheet. Archiving should be done in accordance with the procedures available from the Local Authority, using the correct paperwork available from Records Management.

**Definition of "closure":**

1.8  
For the purposes of this document a case is closed when all resources (including allocated social workers) provided by the Department have ceased and where no legal case reasons apply.

1.9  
Documents of particular worth, interest or value may be of further interest to the Local Authority. A schedule of documents should be notified to the Local Authority.

**Destruction of files**

1.10  
All records are to be destroyed by shredding when the retention period has expired.