

FINAL DRAFT

Confidentiality Policy

Date: July 2006

Member of staff responsible: Di Harris/ Joan M^cSloy (Young People's Health Project)

Date of next review: July 2008

Schools must be absolutely clear about the boundaries of their legal and professional roles and responsibilities (see SRE Guidance, DFEE July 2000).

Definition of Confidentiality

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

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.

No member of staff (teachers or support staff), can offer or guarantee absolute confidentiality. It is only in exceptional circumstances that schools should be in a position of having to handle information without parental knowledge. We will always encourage students to tell their parents.

Queen Elizabeth High School aims to work in partnership with parents in order to promote the safeguarding and well being of all students. We place a high value on the quality of relationships developed between staff and students. We aim that both students and parents feel they are able to discuss with us personal and family matters, including concerns about safety and welfare, in the knowledge that these will be dealt with sensitively.

Child protection issues/ procedures are detailed within the Child Protection Policy and further guidelines for staff are provided in the staff handbook. All staff are made aware of the signs of abuse and they know the procedures for reporting their suspicions and concerns and to whom i.e. Diane Harris, Deputy Headteacher (see Child Protection Policy and Staff Handbook). All this information is permanently on display in the multi agency room.

With regard to confidentiality

- Students will be reassured that their best interests will be maintained
- Students will be encouraged to talk to their parents/ carers and will be given the support to do so. Students will be made aware that it would only be in the most exceptional cases that information will be dealt with without parental knowledge.
- Students need to know that teachers and support staff, including mentors, cannot offer unconditional confidentiality.
- Students will be informed that if confidentiality has to be broken (unless there are exceptional circumstances) then they will be informed first and then supported as appropriate.
- If there is a possibility of abuse, the Child Protection guidelines will be followed.
- Students will be informed of sources of confidential help e.g. GP, school nurse, doctors/ nurses at the Health Project, primary mental health worker, Chad House.

Rationale and statement on the importance of confidentiality

At Queen Elizabeth High School we believe that:

- The safety, well being and protection of our students 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 students well being and safety.

- It is an essential part of the ethos of our school that trust is established to enable students, 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 students, staff are supported and safe
- Students, 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 issues they want to discuss.

Levels of Confidentiality

In practice there are few situations where absolute confidentiality is offered in Queen Elizabeth High School. We have tried to strike a balance between ensuring the safety, well being and protection of our students and staff, ensuring there is an ethos of trust where students 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.

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 student 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 groundrules to ensure confidential disclosures are not made. It should be made clear to students that this is not the time or place to disclose confidential, personal information. (See setting groundrules and working agreements).

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 students and parents/carers (see note below) and any required actions and sources of further support or help available both for the student or parent/carer and for the staff member within the school and from other agencies, where appropriate. All staff at this school encourage students to discuss difficult issues with their parents or carers, and vice versa. However, the needs of the

student are paramount and school staff will not automatically share information about the student 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 Person for Child Protection (Di Harris) 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 Child Protection Policy.)

3. Disclosures to a counsellor, school nurse or health professional operating a confidential service in the school.

Health professionals such as school nurses and counsellors can give confidential medical advice to students provided they are competent to do so and follow the Fraser Guidelines (guidelines for doctors and other health professionals on giving medical advice to under 16s). Health professionals are skilled in discussing issues and possible actions with young people and always have in mind the need to encourage students to discuss issues with their parents or carers. However, the needs of the student are paramount and the health professional will not insist that a student's parents or carers are informed about any advice or treatment they give. It should be noted health professionals will always operate within Child Protection guidelines.

The agreement with our local health trust is attached, Appendix 1. Also attached is the student document '*Your Guide to Confidentiality*', *Northumberland Health Care Trust*, Appendix 2.

Contraceptive advice and pregnancy:

The DoH has issued guidance (July 2004) which clarifies and confirms that health professionals owe young people under 16 the same duty of care and confidentiality as older patients. It sets out principles of good practice in providing contraception and sexual health advice to under-16s. The duty of care and confidentiality applies to all under-16s. Whether a young person is competent to consent to treatment or is in serious danger is judged by the health professional on the circumstances of each individual case, not solely on the age of the patient. However, the younger the patient the greater the concern that they may be being abused or exploited. The Guidance makes it clear that health professionals must make time to explore whether there may be coercion or abuse. Cases of concern would be referred through child protection procedures. We follow the Government Guidance, "Working Together to Safeguard Children" (2006).

The legal position for school staff:

School staff (including non-teaching and voluntary staff) should not promise confidentiality. Students 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, well being 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 child protection is or may be an issue, however, at Queen Elizabeth High School we believe it is important staff are able to share their concerns about students 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 students' safety and well being is maintained. School staff should discuss concerns with Di Harris, Designated Person for Child Protection.

Procedures and Practice

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 child protection issues.

All teachers at Queen Elizabeth High School 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. Refresher training is offered every three years.

Counsellors and Health Professionals: At Queen Elizabeth High School we offer students the support of a counsellor with appointments accessed discreetly through the pastoral team or self referral through a diary or drop in system, Students can also access information, advice and treatment around all aspects of health via a health drop in service. These services are confidential between the counsellor or health professional and the individual student. No information is shared with school staff except as defined in the school's child protection policy. This is essential to maintain the trust needed for these services to meet the needs of our students.

Visitors and non-teaching staff:

At Queen Elizabeth High School, we expect all non teaching staff, including voluntary staff, except those identified in the paragraph above, to report any disclosures by students or parents/carers, of a concerning personal nature to the designated child protection co-ordinator 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 students and staff. The designated child protection co-ordinator will decide what, if any, further action needs to be taken, both to ensure the student gets the help and support they need and that the member of staff also gets the support they need.

Parents/carers:

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

The safety, well being and protection of our students is the paramount consideration in all decisions staff at this school make about confidentiality.

When confidentiality should be broken and procedures for doing this:

The principles we follow at Queen Elizabeth High 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. (See Child Protection Policy and further guidelines for staff in the staff handbook.)
- Tell the child we cannot guarantee confidentiality if we think they will:
 - hurt themselves
 - hurt someone else
 - or they tell us that someone is hurting them or others
- Not interrogate the child or ask leading questions
- We won't put children in the position of having to repeat distressing matters to several people
- Inform the student first before any confidential information is shared, with the reasons for this
- Encourage the student, 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 our students. Staff in need of support should consult a senior member of staff regarding further support and advice. An LEA welfare officer and/or LEA listening officers can also be contacted.

Onward referral:

Please see Child Protection Policy and further guidelines in the staff handbook. Also note we follow the guidelines in the documents *"What to do if you are worried a child is being abused"* (HM Government 2005), *Working together to safeguard children* (HM Government 2006). Also Northumberland information sharing protocol, Appendix 3 and *A short guide to sharing personal information*, Appendix 4.

Dissemination and implementation:

This policy has been distributed to all teaching and non-teaching staff. A simplified version is available for students in their planners following consultation with the School Council. All new staff receive a copy of the policy, together with basic training on the school's Child Protection Policy and procedures from the Designated Child Protection Co-ordinator. Information is also available in the staff handbook.

<u>ACTION:</u> consult with School Council regarding confidentiality issues
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Links to other school policies and procedures:

This policy is intended to be used in conjunction with other school policies

Drugs
Sex and Relationships
Child Protection
Anti Bullying
Behaviour
Looked After Children
PSHE/ Guidance Programme schemes of work

Review and Consultation

This policy is reviewed every 2 years or whenever deemed necessary by the Headteacher and Governors in the light of events and changes in the law.

Involvement of the staff, students, parents and the wider community in developing this confidentiality policy

A wide consultation will take place with the whole school community, including our partner agencies and their feedback taken on board. A draft will appear, for comment by parents, staff and students on the school website. The final policy will be agreed by the Senior Leadership Team and the school's Governing body, and will be widely disseminated to staff, students, parents and carers and partner agencies. It will be placed in the staff handbook and on the school website. A summary will be placed in student planners and reference will be made to it in the school prospectus.

It forms part of the induction of all new staff, including voluntary staff and is reviewed every 2 years.

Date agreed by Governors _____

Review date _____

Signed _____ Chair of Governors