



KINGSNORTH CHURCH OF ENGLAND PRIMARY SCHOOL

Name of Policy:	Confidentiality Policy	
Date Written:	October 2013	
Date Updated:	September 2022	
Updated By Who:	Executive Headteacher	
Policy Originated from:	KCC	
Date To Be Reviewed:	January 2025	
Policy Approved By:	SLT:	
	Staff:	
	Governors:	

Our School Motto:

Kingsnorth...With Faith Endeavour to Achieve

Kingsnorth Vision Statement

'To ensure that every person in our school family is at the heart of everything we do, think and believe. Our values are roots which weave through our entire being and create a learning community built on God's love in which we can all flourish.'

Our linked Bible Verse is:

'Then, by constantly using your faith, the life of Christ will be released deep inside you, and the resting place of his love will become the very source and root of your life.' **Ephesians 3:17**

Our 5 Key Christian Values are:

- Compassion**
- Friendship**
- Trust**
- Community**
- Perseverance**



Statement of Intent

'Recognising its historic foundation, the school will preserve and develop its religious character in accordance with the principles of the Church of England and in partnership with the Church at parish level and the Diocese of Canterbury.

The school aims to serve its community by providing an education of the highest quality within the context of Christian belief and practice. It encourages an understanding of the meaning and significance of faith and promotes Christian values through the experience it offers all pupils.'

Inclusion and Equal Opportunities

All children have equal access to the curriculum regardless of their race, gender, or disability. Our behaviour policy underpins all that we do at Kingsnorth and is closely linked to our other policies.



Introduction:

DfE Sex and Relationship Education Guidance (July 2000) states 'Schools should have a clear and explicit confidentiality policy which is advertised to pupils, staff, parents and visitors'.

The Data Protection, Freedom of Information and Human Rights Acts all need to be taken into consideration (see below).

This document is intended to help your school develop its policy on confidentiality (with particular reference to giving support and advice to children and young people on issues relating to sex and relationships).

It is important schools have an established procedure for dealing with confidentiality, which is understood by pupils, staff, parents, carers and visitors rather than develop ad hoc arrangements in response to a crisis. The procedures need to be consistent and protect the interests of both pupils and staff. Having a policy will help to ensure there is a shared understanding of how confidentiality operates in your school community. A consistent, shared ethos and practice will help pupils, staff, parents, carers and visitors deal with and know where they stand with confidential issues and will help you to deal with disclosure of information and establish ways of working (for example in PSHE) which respect privacy and avoid unnecessary personal disclosure.

This document does not suggest that all members of the school community should offer the same levels of confidentiality. Steps need to be taken to ensure that confidential disclosures are made to the appropriate person at the appropriate time. In order to ensure this, all members of the school community need to be aware of the limits of confidentiality available in different circumstances and by different individuals.

As part of a whole school policy on confidentiality schools should consider other aspects of school life where confidentiality may be pertinent, such as handling pupil data.

You should also consider the professional support and supervision that teaching and non-teaching staff, including volunteers, such as mentors, need to ensure the protection, health, safety and well-being of both the pupils and staff and practical considerations which require school staff to share information in the best interests of individual pupils and all pupils collectively.

Human Rights Act 1998: Gives everyone the right to “respect for his private and family life, his home and his correspondence”, unless this is overridden by the ‘public interest’, e.g. for reasons of Child Protection, for the protection of public safety, public order, health or morals or for the rights and freedoms of others.

Data Protection Act 2018: GDPR Applies to personal data of living, identifiable individual's data; manual and electronic records. Schools need to be clear, when collecting personal data, what purposes it will be used for and schools should have policies to clarify this to staff, pupils and parents.

Freedom of Information Act 2000: Amends the Data Protection Act. Gives everyone the right to request any records a public body, including schools, holds about them. A school may withhold information it has if it is considered the information may damage the recipient, if disclosed. Schools data or record keeping policy should also cover the requirements of this Act.



Rationale and statement on the importance of confidentiality

This needs to be clear to all staff

At Kingsnorth CE Primary School, we believe that:

The safety, well-being and the protection of all of our pupils are the paramount considerations in ALL decisions staff at our school make about confidentiality. The appropriate sharing of information between school staff is an essential element in ensuring our children's well-being and safety.

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, 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.

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

A working group consisting of representatives of staff, pupils, parents, carers and governors established the draft of this policy. A wide consultation has taken place with the whole school community, including our partner agencies and their feedback taken on board. The final policy was agreed by the Senior Leadership Team and the school's Governing body, and has been widely disseminated to staff, pupils, parents and carers and partner agencies. It forms part of the induction of all new staff, including voluntary staff and is reviewed every 2 years.

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 Kingsnorth CE Primary 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 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 children's 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. (See setting ground rules 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 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 Leader (DSL) 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's 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 follow 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. 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 grave concern would be referred through child protection procedures. The Government Guidance, "Working Together to Safeguard Children" is currently being revised following the Bichard report and will be published at a later date.

***Note:** It is the view of Kent Police that they should be informed of cases where a person under the age of 16 discloses sexual activity, which includes sexual intercourse. This is not for the purpose of prosecution, unless that course of action was appropriate, but to enable the Police to share information concerning the parties concerned. The Police are of the view that this information sharing would enable a better assessment as to whether a child was being abused or exploited.*

5. 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, 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 maybe an issue, however, at Kingsnorth CE Primary 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 well-being is maintained. School staff should discuss such concerns with their line manager or the DSL.

6. 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 this 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.

7. Counsellors and Health Professionals:

At Kingsnorth CE Primary School, any counselling services or school nursing drop in service we provide for the pupils are confidential between the counsellor or health professional and the individual pupil. No information is shared with school staff except as defined in the school's child protection policy, and guidance from the Kent Child Protection Committee and Child Protection law. This is essential to maintain the trust needed for these services to meet the needs of our pupils.



8. Visitors and non-teaching staff:

At Kingsnorth CE Primary 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 DSL 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 DSL will decide what, if any, further action needs to be taken, both to ensure the pupil gets the help and support they need and that the member of staff also gets the support and supervision they need.

9. Parents/carers:

Kingsnorth CE 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 matter with staff at Kingsnorth CE Primary School, they will be encouraged to also discuss the matter with their parent or carer themselves.

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

10. Complex cases:

Where there are areas of doubt about the sharing of information, seek a consultation with your local KCC Children's Area Safeguarding Advisor Principal Officer.

11. Links to other school policies and procedures:

This policy is intended to be used in conjunction with the schools

- PSHE
- Sex and Relationship
- Safeguarding
- Anti-Bullying
- Behaviour
- Discipline
- Child in Care



Statement of ground rules to be used in lessons

We adopt ground rules to ensure a safe environment for teaching in particular in PSHE and Circle time. This reduces anxiety to pupils and staff and minimises unconsidered, unintended personal disclosures.

At the beginning of each PSHE lesson, Positive Action or Circle time, pupils are reminded of the ground rules by the teacher or outside visitor. The teacher establishes the ground rules together with the pupils at the beginning of each half term of teaching.

Example ground rules:

We won't ask each other or the teacher any personal questions

We will respect each other and not laugh, tease or hurt others

We won't say things we want to keep confidential

We can pass or opt out of something if it makes us feel uncomfortable

If we do find out things about other pupils, which are personal and private, we won't talk about it outside the lesson

If we do find out things about other pupils, which are personal and private, we won't talk about it outside the lesson, but

If we are worried about someone else's safety, we tell a teacher

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 the Headteacher

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

The principles we follow at Kingsnorth CE 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.

See the child normally (and always in cases of neglect, or abuse) before the end of the schoolday. 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:

- 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 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 our pupils. At Kingsnorth CE Primary 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 pupil's home with you. There are many agencies we can refer pupils to who need additional support which 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 Kingsnorth CE Primary School is a happy and safe learning environment.



The school's staff should discuss any concerns about pupils with the Headteacher. Any unresolved issues should be discussed with the chair of the Governing Body.

Onward referral:

Headteacher is responsible for referring pupils to the school counsellor and to outside agencies from the school. Please do not make referrals yourself unless you believe a child protection referral to the police or Children's Social Services is necessary and the designated person does not agree. ('What to do if you're worried a child is being abused', DfES March 2015).

Pupils can also obtain confidential help themselves, e.g. school nurse drop ins, 4YP clinics, GP, local drug and alcohol agencies, Childline, etc.

Dissemination and implementation:

This policy has been distributed to all teaching and non-teaching staff, including volunteers, at the school as part of a whole school training day, where all staff received training on the content and practical applications of the policy.

All new staff, including volunteers, receive a copy of the policy, together with basic training on the school's Safeguarding Policy and procedures from the DSL

Appendices

Appendix 1 – Confidentiality Code of Conduct
(to be signed by all staff, volunteers and students)

Appendix 2 – Data Protection Code of Conduct
(to be signed by all staff, volunteers and students)



Kingsnorth CE Primary School Confidentiality Code of Conduct

I, the undersigned, hereby agree that I will at all times, whether or not in the employ of Kingsnorth CEP School and except where such information is in the public domain:

- maintain the strictest confidentiality with regard to the affairs of the Employer and its pupils and adults, except to the extent that I may be authorised to disclose them by the Board of Governors, a Court of Law or any authorised or enforcement agency such as the police, a Regulatory Body given powers under the Financial Services Act, HM Revenue & Customs, etc;
- refrain from revealing or using confidential information regarding systems and programme design and data for personal gain;
- refrain from using computer equipment and accessing the Internet except when authorised to do so and for official employer business as unauthorised usage could result in damage to the equipment and loss of stored data.

I undertake to familiarise myself with the data protection procedures set down by the Employer as a result of the Data Protection Act 1998 and understand that the Employer is obliged as a consequence to view any breach of these procedures as a serious matter of discipline under the school's adopted disciplinary policy.

I understand that any breach of this agreement could result in formal action being taken against me, including dismissal, under the disciplinary policy.

I agree that the Employer may monitor all electronic communications using equipment provided by it, including desktop PCs, laptops, mobile and fixed-line telephones.

Signed: _____ Date: _____

Full Name _____

Role: _____



Kingsnorth CE Primary School Data Protection Code of Conduct

The School's Information Commissioners Office demands that all school's staff meet strict confidentiality requirements as laid down in the Data Protection Act 2018 Staff are required to exercise extreme discretion when discussing items of a confidential nature regarding families and stakeholders. Please refer to the School's privacy notices as to who the school is legally allowed to release information

The school and its staff agree to only use information following the strict rules called 'data protection principles':

They must make sure the information is:

- used fairly and lawfully
- used for limited, specifically stated purposes
- used in a way that is adequate, relevant and not excessive
- accurate
- kept for no longer than is absolutely necessary
- handled according to people's data protection rights
- kept safe and secure
- not transferred outside the UK without adequate protection
-

There is stronger legal protection for more sensitive information, such as:

- ethnic background
- political opinions
- religious beliefs
- health
- sexual health
- criminal records

It is a requirement that confidentiality be maintained in respect of the children's attainments, attitudes and behaviour as well as any CPD or AEN issues. Any matter that is of concern should be discussed immediately with the class teacher, deputy head or headteacher as appropriate in order for any misunderstandings of difficulties to be addressed as a matter of urgency.

If you are aware of a breach of confidentiality you may wish to refer to the school's Whistleblowing policy, which can also be found on the school web site and in the staff shared area.

Any misuse of information by members of staff will result in disciplinary procedures and possible legal action.

Signed: _____ Date: _____

Full Name _____

Role: _____