

NEWMAN SCHOOL

POLICIES

CONFIDENTIALITY AND INFORMATION POLICY

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Confidentiality and Information Sharing Policy

Version Control

Version	Author	Changes	Approved	Next Review
V2	Natalie Borrington	NA	May 2021	May 2022

Contents

1. [Aim](#)
2. [Legislation and Guidance](#)
3. [Confidentiality](#)
4. [Information Sharing](#)
5. [Monitoring and Review](#)
6. [Links to other Policies](#)

1. Aim

1.1 We recognise that it is our moral and statutory responsibility to provide clear guidance to all members of the school community around confidentiality and the sharing of information.

1.2 Our aim is to ensure that all adults working in the school deal appropriately and confidently with sensitive issues. We also want to encourage children to talk to a trusted adult if they are having problems.

1.3 Sharing information about individuals is often essential if we are to keep children safe, or ensure that they get the best services they need.

1.4 This policy provides a framework for sharing information, which ensures that any sharing that takes place, is necessary, proportionate, relevant, accurate, secure and timely.

2. Legislation and Guidance

This policy is informed by the following legislation:

- The Children Act 1989
- The Human Rights Act 1998 gives everyone the right to have 'respect for his private and family life, his home and his correspondence,' unless this is overridden: by the pupil interest, for reasons of child protection, for the protection of public safety, pupil order, health or morals or for the rights and freedoms of others.
- The Data Protection Act 2018 (DPA2018)

3. Confidentiality

3.1 All adults working in our school aim to:

- Implement the school Child Protection policy
- Keep anything seen or heard within school confidential to the school where appropriate
- Never give out a child's personal details over the telephone until the validity of the request has been ascertained.
- Never publicise images of pupils on the school website, in the local press or via newsletters if parents have expressly wished that they do not want their child's image to be in the public domain.
- Avoid unconditional confidentiality
- No adult should enter into detailed discussion about a child's behaviour or academic progress with other children or their parents.

3.2 Management

- Managers will not divulge details about individuals (be they staff, families or individual children) to any person unless there is a clear legal business to share the information
- Managers need to be mindful that from time to time issues are discussed or brought to their attention about staff and children. All such records should be marked as confidential.

- Managers must observe complete confidentiality when asked to do so, especially in relation to matters concerning individual staff, children or parents/carers such as disciplinary.

3.3 In the Classroom

- Ground rules will be used where sensitive issues are to be addressed e.g. Drugs Education, Sex and Relationships Education.
- Adults will remind children that some information they share in the classroom may need to be shared with other adults for their protection.
- If a child and his/her parent/ carer wish to highlight an issue to a peer group then this will be carried out sensitively by an appropriate member of staff e.g. in the case of bereavement.

4. Information Sharing

4.1 Scope of Information Sharing

- Information about children will be shared with parents/ carers but only about their child.
- Parents/ carers will not have access to any other child's books, marks and progress grades at any time, especially at parents' consultations. However, parents/ carers should be aware that information about their child will be shared with the receiving school, if and when they change school.
- All personal information about children including social services records are regarded as confidential. The Senior Designated Person for Child Protection will decide who will have access, and whether those concerned have access to all, or only selected information.

4.2 All adults working in our school aim to comply with the following best practice:

- If you are asked, or wish, to share information, you must use your professional judgement to decide whether to share or not and what information it is appropriate to share, unless there is a statutory duty or a court order to share.
- Wherever possible, subject to considerations set out above, you should inform the individual concerned that you are sharing the information, why you are doing so, and with whom.
- The approach to securing consent should be transparent and respect the individual. Consent must not be secured through coercion or inferred from a lack of response to a request for consent.
- A child or young person, who has the capacity to understand and make their own decisions, may give (or refuse) consent to sharing. Children aged 12 or over may generally be expected to have sufficient understanding. Younger children may also have sufficient understanding. This is presumed in law for young people aged 16 and older. When assessing a child's understanding you should explain the issues to the child in a way that is suitable for their age, language and likely understanding. Where applicable, you should use their preferred mode of communication.

- If you have concerns that a child is at risk and shared that information with the appropriate agencies, it is imperative that you keep an accurate record of exactly what information you have shared, with whom you shared it and why you shared it. Not only is this good practice for data protection purposes, but it will also serve as an excellent contemporaneous note of your decision-making process months down the line.
- As long as you share relevant information appropriately and with the right agencies, you will not fall foul of the law. The law is on the side of a practitioner who seeks to share information regarding a child they believe to be at risk. This has always been the case — a fact that Lord Laming was eager to reiterate in his report.

4.3 Information Sharing with Other Professionals

The school applies the Government's seven golden rules when sharing information with other professionals. There are occasions in school where members of staff will need to consider whether information provided by a child or their family needs to be shared with other professionals. The school will always endeavour to gain consent when sharing information, though this may not always be possible. See full guidance, [Seven golden rules for information sharing](#).

5. Monitoring and Review

5.1 The content of this policy shall be reviewed **annually** by the School with reference to the relevant legislation or guidance in effect at the time. Further reviews will take place as required.

11. Links with other Policies

This Confidentiality and Information Sharing policy is linked to our:

- Data Protection Policy
- Child Protection Policy