

Sherburn Primary School

Confidentiality



This policy sets out to identify how Sherburn Primary School executes its duty to keep staff and pupils information safe and confidential whilst, at the same time, not compromising the need to share information when it is needed.

All staff have a duty to keep such information strictly confidential and to use it only for the proper purposes in accordance with guidance (Data Protection Act 1998 and Durham County Council guidance) All staff need to be clear about the levels of confidentiality that they can offer to the pupils and can expect themselves
The purpose of this policy is to set out the principles that must be observed.

Principles

All staff are expected to handle all individuals' personal information in a sensitive and professional manner

All staff are under an obligation not to gain access or attempt to gain access to information that they are not authorised to have

The Woodlands also recognise the importance of an open culture with clear communication and public accountability and is opposed to secrecy

The purpose of confidentiality is essentially two fold. Firstly, it protects the pupils' rights to privacy, however there are times when situations over-ride the right to confidentiality
The intentional or repeated accidental, unauthorised disclosure of any confidential information by any member of staff will be subject to disciplinary action. Disciplinary action will take into account the nature of the disclosure and ensure no breaches of confidentiality occur.

What is confidential information?

This applies to information received through formal channels (eg school information) or discovered by chance, it could be information that is not trivial, and not in the public domain

Breaches of confidentiality occur when sensitive information is given to people who are not authorised to access it, or it is being stored.

Confidential information will be found in a variety of formats- paper, computerised (including portable devices, ipads), visual or digital storage such as photographs. It also covers oral communications- telephones and general conversation.

Caldicott

Following a review of handling confidential information in 1997, Caldicott recommended six key principles to be adopted:

1. Justify the purpose for using the information
2. Only use it when absolutely necessary
3. Use the minimum information required
4. Access should be on a strict needs-to know basis
5. Everyone must understand their responsibilities
6. We must understand and comply with the law.

Data protection principles

Personal data must be

- processed fairly and lawfully
- processed for specified purposes- is it absolutely necessary?
- adequate, relevant and not excessive- stick to the facts

- accurate and kept up to date- avoid creating duplicates
- not kept for longer than necessary- check Box It procedure.
- protected by appropriate security-clear desk policy,
- not transferred outside the environment for which it is used without adequate protection-check where your information is going

Confidentiality and pupils

On occasions where pupils are worried about something and feel they can turn to staff for support, the following principles must be adhered to:

- You must make it clear that you cannot offer unconditional confidentiality ,in case it becomes an issue
- Pupils need to be aware if there is a Child Protection issue, you are legally required to inform the designated Child Protection officer
- Staff cannot offer confidentiality to pupils on issues relating to illegal activities
- If you feel you need to break confidentiality, you must inform the student
- Staff should encourage pupils to talk to their parents/carers

Confidentiality and staff / members of the management committee

All staff can expect their personal situations and health to remain confidential unless it impinges on their terms of contract or endangers pupils or other members of staff.

Confidentiality and families

We recognise there may be family issues, which might affect a pupil that the family will disclose if we can assure them of confidentiality. We will respect the wishes of the family, unless the child is seen to be at risk and there is an over-riding child protection issue

Visitors to school and confidentiality

A 'visitor' is any person who works in school, either paid or voluntary. They may become privy to information of a personal nature. The information must not be used outside of the school context, unless it is part of a child protection issue.

Maintenance of confidentiality

Staff have a duty to:

- treat all pupil information in the strictest confidence
- ensure all information is used only for the purpose for which it is intended

Staff must be aware of their personal responsibility and undertake to abide by policies and procedures, and not access records for their own personal interest.

Disclosure of information to others

Sensitive information is only to be requested on a 'need to know' basis

No written documentation containing confidential information must be left visible where it can be read by others. This includes telephone messages, computer prints, letters and other documents. All hardware containing data must be housed in a secure environment.

In Summary

All information must be;

- held securely and confidentially
- obtained fairly and effectively
- recorded accurately and reliably
- used effectively and ethically
- shared appropriately and lawfully

Policy adopted by *Governing Body* October 2018

To be reviewed October 2020 by *Headteacher* and *Curriculum Committee* of *Governing Body*