



Straits Primary School Confidentiality Policy 2025

This policy is in line with guidance from: [Working Together to Safeguard Children](#); [DfE 'Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers'](#) and [Keeping Children Safe in Education](#). It is also aligned with the school's safeguarding children policy and Staff Code of Conduct.

This policy also has due regard to statutory legislation including, but not limited to, the following:

- The Education Act 2002
- The General Data Protection Regulations
- Data Protection Act 2018
- The Freedom of Information Act 2000
- The Equality Act 2010
- The Education (Pupil Information) (England) (Amendment) Regulations 2019

The confidentiality policy at Straits Primary School reflects our ethos and demonstrates and encourages the following values:

- Respect for self
- Respect for others
- Responsibility for one's own actions
- Responsibility for family, friends, school and the wider community

For the purpose of this policy, 'confidentiality' is an understanding that any information shared with someone in trust will only be passed on to a third party with the prior and explicit agreement of the person disclosing it. Within this policy, a 'disclosure' is the sharing of any private information; this term does not solely relate to child protection issues.

Aims of the Policy

The aim of this policy is to provide school staff, visitors and volunteers with clear, unambiguous guidance as to their legal and professional roles and to ensure good practice throughout the school which is understood by children, parents/carers and staff. It also provides clear guidance for those who have received information of a private nature from a young person or about a young person. Young people may occasionally disclose that they are engaging in under-age sexual activity, that they, or friends, or relatives are using drugs, or that they have been abused. This policy is to ensure young people are protected by law and that there is an established climate of trust.

Straits Primary 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. Sharing information unnecessarily is an erosion of trust. The school 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 confidentiality policy ensures that:

- Information about pupils' private lives and family backgrounds will only be shared on a need to know basis.
- Pupils' rights and best interests are protected, whilst taking into account the sensitivities of parents/carers.
- Any action taken in the light of information gained about pupils is within the law.
- Parents have a right of access to all records held on their own child(ren), except those relating to child protection issues (Subject Access request).

Confidential situations occur both in and outside the classroom. To ensure the pupils and staff, including visitors and volunteers, are aware of the confidentiality guidelines they should be discussed and made explicit for example:

- We do not have to give details about our personal lives or our experiences.
- We will not feel pressurised to answer a question and have the right to 'pass'.
- We will not be forced into participation.
- We all have the right to be listened to and have our views respected.
- Bullying, teasing, harassment or any other kind of unkind behaviour will not be tolerated.
- You must remember that if you don't want anyone to know something, either talk about it as though it was someone else or don't bring it up.

The Key Principles of Confidentiality

It is important that all staff are absolutely clear about the boundaries of their legal and professional roles and responsibilities. Adults at Straits cannot offer or guarantee absolute confidentiality.

Pupils should be reassured that when confidentiality has to be breached they will be informed, and supported appropriately. Very often young people who disclose such information recognise that it is for their own benefit that it should be passed on. It is only in the most exceptional circumstances that teachers should be in the position of having to handle information without parental/carer knowledge. When younger pupils are involved this will be grounds for serious concern and safeguarding issues should be addressed (see separate safeguarding children policy). The adult should approach the Designated Safeguarding Lead (at Straits this is Paul Freear) or Deputy DSL (Dan Wade). The DSL should make sensitive arrangements, in discussion with the pupil, to ensure that parents/carers are informed. The DSL should address safeguarding issues and ensure that help is provided for the pupil and family.

There are many visitors that come to the school and they should be made aware of the confidentiality policy. Health professionals are bound by their own professional codes of conduct to maintain confidentiality. When working in a classroom situation, they are also bound by relevant school policies. In line with best practice they will seek to protect privacy and prevent inappropriate personal disclosures in a classroom setting, by negotiating ground rules and using distancing techniques.

The school will ensure pupils are made aware of the services which they can access to gain confidential help and support. Such services include Time 4U, Connexions and their own GP or school nurse.

Guidelines

- All information about individual children is private and only shared with those staff that have a need to know.
- All children's services, medical and personal information about a child is held in a safe and secure place which cannot be accessed by individuals other than school staff.
- There is a clear guidance for the handling of child protection/safeguarding incidents. All staff have regular training on child protection issues. (See Safeguarding training record).
- There is clear guidance for procedures if a member of staff is accused of abuse (refer to Safeguarding children policy and LA guidance documents).
- Staff are aware of the need to handle family issues (e.g. same sex parents) in a sensitive manner.
- Any intolerance about gender, faith, race, culture or sexuality is unacceptable and is sanctioned in line with either the guidelines detailed in the Staff Code of Conduct or equalities policies and the LA Code of Conduct.
- Parents/carers and children are aware that the school cannot guarantee total confidentiality and the school has a duty to report child protection issues – staff are always available to talk to both children and parents/carers about issues that are causing concern. We encourage children to discuss the issues with their parents/carers that are causing them concern and may, in some cases, support the child in doing so. Parents/carers and children are reassured that only in exceptional circumstances is confidentiality broken.
- 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 are not identified.
- Confidentiality is a whole school issue. Clear ground rules are set for any classroom work such as PHSE sessions dealing with sensitive issues such as sex and relationships and drugs.
- Photographs of children are not used without parents/carers permission (see media permissions register).
- Information about individual children is only shared with their parents/carers. Parents/carers do not have access to any other child's books or information about their progress at any time.
- Parents are informed that information about their child will be shared with the receiving school when they change school. All personal information about children, including children's services records, is regarded as confidential. Information regarding health reports such as speech therapy, medical reports, SEN reports, SEN minutes of meetings and children's services minutes of meetings and reports are forwarded to the appropriate professionals either via CPOMS or in sealed envelopes and securely filed.
- Addresses and telephone numbers of parents and children are not passed on except in exceptional circumstances or to a receiving school.
- Logs of administration of medication to children are kept secure.
- Straits Governors are mindful that from time to time issues are discussed or brought to their attention about staff and children. Governors observe complete confidentiality when asked to do so by the Governing Body, especially in relation to matters concerning individual staff, children or parents. Although decisions reached at Governors' meetings are normally made public through the minutes or otherwise, the discussions on which decisions are based are regarded as confidential. Governors exercise the highest degree of prudence when discussion of potentially contentious issues arises outside the Governing Body.

Data Protection and Freedom of Information

This policy adheres to the principles under data protection law. For further information please review the school's data protection policy and privacy notices published on the school's website.

Confidentiality does not just relate to disclosures of information which could have legal implications such as abuse. Staff members should not handle *any* confidential information carelessly, as pupils and other members of staff may regard this as the normal procedure and respond in a similar manner if a confidence is passed to them.

We will not normally share personal data with anyone else, but may do so where:

- There is an issue with a pupil or parent/carer that puts the safety of our staff at risk.
- We need to liaise with other agencies or the local authority – we will seek consent, as necessary, before doing this. This will be completed through secure systems such as children services portal, NCA tools, s2s.
- Our suppliers or contractors need data to enable us to provide services to our staff and pupils – for example, IT companies. When doing this, we will:
 - a) Only appoint suppliers or contractors which can provide sufficient guarantees that they comply with data protection law.
 - b) Establish a data sharing agreement with the supplier or contractor, either in the contract or as a standalone agreement, to ensure the fair and lawful processing of any personal data we share.
 - c) Only share data that the supplier or contractor needs to carry out their service, and information necessary to keep them safe while working with us.
- We will also share personal data with law enforcement and government bodies where we are legally required to do so, including for:
 - a) The prevention or detection of crime and/or fraud
 - b) The apprehension or prosecution of offenders
 - c) The assessment or collection of tax owed to HMRC
 - d) In connection with legal proceedings
 - e) Where the disclosure is required to satisfy our safeguarding obligations

We may also share personal data with emergency services and local authorities to help them to respond to an emergency situation that affects any of our pupils or staff.

Subject access requests

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds about them. This includes:

- Confirmation that their personal data is being processed
- Access to a copy of the data
- The purposes of the data processing
- The categories of personal data concerned
- Who the data has been, or will be, shared with
- How long the data will be stored for, or if this isn't possible, the criteria used to determine this period
- The source of the data, if not the individual
- Whether any automated decision-making is being applied to their data, and what the significance and consequences of this might be for the individual

Subject access requests must be submitted in writing, either by letter or email to the Headteacher. They should include:

- Name of individual
- Correspondence address
- Contact number and email address
- Details of the information requested

If staff receive a subject access request they must immediately forward it to the Headteacher.

Responding to subject access requests

When responding to requests, we:

- May ask the individual to provide 2 forms of identification.
- May contact the individual via phone to confirm the request was made.
- Will respond without delay and within 1 month of receipt of the request.
- Will provide the information free of charge.
- May tell the individual we will comply within 3 months of receipt of the request, where a request is complex or numerous. We will inform the individual of this within 1 month, and explain why the extension is necessary.

We will not disclose information if it:

- Might cause serious harm to the physical or mental health of the pupil or another individual.
- Would reveal that the child is at risk of abuse, where the disclosure of that information would not be in the child's best interests.
- Is contained in adoption or parental order records.
- Is given to a court in proceedings concerning the child.

Evaluation and Review

All new staff, parents/carers, pupils and visitors to the school will be made aware of the school's approach to confidentiality on first arrival. The school will also continue to consult with whole school representatives to ensure this policy remains effective.

This policy will be reviewed as part of our monitoring cycle or where necessary in light of changes to the law or statutory guidance, and any breaches will be dealt with under the school's discipline procedures (based on LA guidance).

Location and Dissemination

The policy can be found in the school policies folder, on the google drive and is referred to on the school website. This document is freely available to the entire school community.

Signed by:

Chair of Full Governing Body: Date:

Head teacher: Date:

Agreed at the Full Governing Body Meeting on: