

BOURNE COMMUNITY COLLEGE



Aspiration, Innovation, Motivation

CONFIDENTIALITY POLICY

September 2020

Next review July 2021



Our Mission:

To ensure every student achieves great outcomes to flourish and be successful

To have high expectations of all staff and students

To respect those in our community locally, nationally and internationally

Our Vision:

To be the school of choice and the Learning Hub for the locality

Our Values

Our values respect the charter of the UNICEF rights of the Child and our Bourne ID mirrors this.

We gained GOLD status as a rights respecting School and are building on this great achievement.

Our strap line:

Aspiration, Innovation, Motivation

BOURNE COMMUNITY COLLEGE CONFIDENTIALITY POLICY

"The best interests of the child must be a top priority in all actions concerning children"
Article 3 - UNCRC

Principles

At Bourne Community College we believe that:

- The safety, well being and protection of our students are the paramount considerations 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
- Students, parents/carers and staff need to know the boundaries of confidentiality in order to feel safe and comfortable discussing personal issues and concerns, including sex and relationships
- The school's attitude to confidentiality is 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

Policy Development

Consultation has taken place within the whole school community, including our partner agencies. The final policy was agreed by the leadership team and has been disseminated to staff, students, parents/carers and partner agencies. The policy is disseminated to all new staff joining the school

Definition of Confidentiality

Confidentiality is defined as '*something which is spoken in private, entrusted with another's secret affairs*'. 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 circumstances where absolute confidentiality is offered in our school. We strive 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 are followed.

This means that in most cases what is offered 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.

Staff should make it clear that there are limits to confidentiality at the beginning of the conversation. These limits relate to ensuring students' safety and well being. The student will be informed when a confidence has to be broken for this reason and be involved in the information sharing.

Different levels of confidentiality are appropriate for different circumstances:

1. **In the classroom** in the course of a lesson given by a member of the 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 students that this is not the time or place to disclose confidential personal information. When a health professional is contributing to a school's health education programme in a classroom setting, they are working with the same boundaries of confidentiality as a teacher
2. **One-to one disclosures to members of school staff.** It is essential that all members of staff know the limits of confidentiality they can offer to both students and parents/carers and any required actions and sources of further support or help available for both the student and parent/carer, within the school and from other agencies as appropriate. All staff at this school encourage students to discuss different issues with their parents/carers and vice versa. However, the needs of the student are paramount and the school staff will not automatically share information about the student with his/her parents/carers unless it is considered to be in the student's best interests
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 students providing 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 students to discuss issues with their parents/carers. However, the needs of the student are paramount and the school nurse will not insist that a student's parents/carers are informed about any advice or treatment they give

Contraceptive advice and pregnancy

The Department of Health has issued guidance (March 2010) 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 care 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 professional must make time to explore whether there may be coercion or abuse. Cases of grave concern should be referred through child protection procedures.

The Legal Position of School Staff

Staff should not promise confidentiality. Students do not have the right to expect they will not be reported to their parents/carers and may not, in the absence of an explicit promise, assume that information conveyed outside that context is private. No member of the school's

staff can or should give such a promise. The safety, well being and protection of the student are 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 Bourne Community College we believe it is important that staff are able to share their concerns about students' safety and feel assured that well being is being maintained.

Teachers, counsellors and health professionals

Professional judgement is required by a teacher, counsellor or health professional in considering whether he/she should indicate that the student 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 student, including the need to both ensure trust to provide safeguards for our students and possible child protection issues.

All staff at this school receive regular updates regarding child protection and are expected to follow the school's child protection policy and procedures.

Counsellors and health professionals

At Bourne Community College we offer students access to external mentors/counsellors through a variety of support agencies. The school nursing service also operate a drop-in service for students.

These services are confidential between the counsellor or health professional and the individual student. No information is shared with the 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 support staff

At Bourne Community College we expect all support staff to report any disclosures by students or parents/carers of a concerning nature to the designated child protection co-ordinator as soon as possible after the disclosure and in an appropriate setting so others cannot overhear. The designated child protection co-ordinator will decide what, if any, further action needs to be taken.

Parents/carers

Bourne Community College 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 our students can share any concerns and ask for help when they need it. Where a student does discuss a difficult personal issue with school staff they will be encouraged (if appropriate in the circumstances) to also discuss the matter with their parents or carers and may be supported to do so.

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

Complex cases

Where there are areas of doubt about the sharing of information, Bourne Community College will consult with the Local Authority Officers with specific knowledge of this aspect.

When confidentiality should be broken and the procedures for doing so

See the school's Child Protection Policy.

BCC DSL is: **Janet Murray Brown**
The Deputy DSL is: **Nikki Constable**

Support for staff

Staff may have support needs themselves in dealing with some of the personal issues of our students. At Bourne Community College we prefer staff to ask for help rather than possibly making a poor decision because they lack all the facts or the necessary training. This helps to avoid the risk of taking worries about students home with them.

Staff should discuss any concerns with the DSL.

Links with other policies

This policy has links with the following school policies:

- Child Protection
- Personal Development
- Sex and Relationships
- Drugs Education
- Anti Bullying
- Behaviour
- Social Inclusion
- eSafety

Dissemination and implementation

A copy of this policy can be found in the Policies section on the school's website. All new staff are signposted to this policy when they join the school.