



# ***Regents Park Community College***

## ***Confidentiality Policy***



## **Statement of intent**

At Regents Park Community College we aim for Governing Body members, staff, students and parents to be clear about the levels of confidentiality that Regents Park Community College can offer to the school community and the levels of confidentiality expected of themselves.

### **Regents Park Community College will ensure:**

- Everyone is informed of the varying levels of confidentiality which might be offered in different circumstances including other visiting professionals and parents
- School staff are clear about the boundaries of their legal and professional roles and responsibilities e.g. Child Protection / Data Protection / Intellectual Property / Freedom of Information procedures and legislation
- The health and well-being of all students and staff underpins the way in which the school works

### **This policy applies to:**

- All Governing Body members of the school
- All staff employed by the school
- All students on roll of the school
- All visiting staff, including partner Children Service staff and external agencies working with students during the school day
- Students participating in peer mentoring work.

## **Governors**

Regents Park Community College will ensure that the personal details, circumstances, situations and health matters of Governing Body members, staff and students and their families remains confidential to the Headteacher and Chair of Governors unless it impinges on the term of governance or endangers students, staff or other members of the governing body.

## **Staff**

Regents Park Community College will ensure that the personal details, circumstances, situations and health matters of staff will remain confidential to the Headteacher and Chair of Governors as necessary, unless it impinges on their terms of employment contract or endangers students or other members of staff. Regents Park Community College will ensure that the personal details, circumstances, situations and health matters of students will remain confidential to the Headteacher unless it impinges on the day to day support to be offered to students when all relevant information required to support students will be shared with staff members, as appropriate. Regents Park Community College will respect the confidentiality of any student who is pregnant or the subject of sexual abuse, such information will remain confidential to the Headteacher, CPLO, Health and Safety officer and the member of staff to whom the student disclosed.

Members of staff who are authorised to access the school's databases / records are authorised for the purpose of fulfilling their professional / employment duties only.

## **Students**

Regents Park Community College staff will be supportive to students with concerns but they cannot offer confidentiality to the student on anything that involves an illegal activity or anything that has the potential of being a child protection issue where the student or others are likely to be at risk of significant harm. Senior staff in the school will liaise with parents/carers as appropriate in cases where a staff member has reported an issue over which they cannot offer confidentiality.

Staff will support students to inform their parents about issues that are troubling them as appropriate.

Students will be made aware of specialist confidential services visiting Regents Park Community College and in the community where they can seek assistance if they wish.

## **Parents and Families**

Regents Park Community College recognises that sometimes there may be family issues which might affect a student and which the family will only disclose to members of the school staff if they can be sure the information will be treated confidentially. We will respect the wishes of the family and where it is felt necessary to share the information given to us, this will be discussed with the parent first unless a student is considered to be at immediate risk and/or there is an overriding child protection issue. All issues relating to child protection, including pregnancy / sexual abuse will follow the Local Authority and Regents Park Community School Child Protection procedure which requires the information to be passed to Social Services.

## **Linked Regents Park Community College policies:**

- Anti-Bullying Policy
- Child Protection Policy
- Drugs Education and Use of Drugs Policy
- Health and Safety Policy
- Sex & Human Relationships Policy

**Appendix 1**

**Service Level Agreement for use with agencies working with students.**

***Organisation:***

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***Named contact:***.....

**Telephone:** ..... **Fax:**.....

**Reason for visit:** .....

**Year Group:**..... **Class:**.....**No. of students:**.....

The teacher will be responsible for the behaviour of the students.

Aim of sessions:

- 
- 
- 

Expected learning outcomes:

- 
- 
- 

Before the visit the school will.....

Before the session the visitor will:.....

The visitor should be aware that the school staff is responsible for the students whilst they are in school:

- any materials to be given out should be shared with school staff
- the school has important policies and procedures that visitors should be aware of and read such as the confidentiality policy, child protection and equal opportunities policy

Equipment required on the day:.....

Date of sessions:.....

Signed – school..... Date: .....

I have /am willing to undergo enhanced DBS clearance.

Signed – organisation ..... Date:.....

## Appendix 2

### Guidance to staff members

NB This applies to all members of staff, visiting staff and outside agencies with the exceptions of those listed below

1. Personal information held on the school's data base, student, staff and Governing Body records within the school are subject to Data Protection legislation; staff members who are authorised to access the school database, student, staff and Governing Body records are authorised for the purpose of fulfilling their professional / employment duties only and may not use this information for personal use nor disclose it to another party. Staff authorised to access such information are to seek the permission of the Headteacher prior to responding to a request to share any item of personal information with another member of staff, governor or external agency including the Police. Under no circumstance is personal information about a student, staff member or governor to be shared with a parent or member of the community. No member of staff will be granted authorisation to access the school's data base and records prior to the enhanced CRB clearance being received by the Headteacher. Staff members may not hold copies of information from the school's data base, student, staff and Governing Body records on their laptop computers.
2. Work undertaken for the school whilst in the employment of Regents Park Community College is the confidential property of the school; staff members may not use it for any other purpose outside of the school without the permission of the Headteacher.
3. There are occasions when students are worried about something and feel that they cannot talk about it to their parents/carers. This can result in enormous stress for the individual which impacts on their education and health. Some students may feel that they can turn to teachers and other staff members for support and we want to be as helpful as we can whilst recognising that there may be some potential difficulties in being supportive. You should adhere to the following policy:
  - When talking with students, it is important for you to be aware of maintaining your professional boundaries. Whilst being supportive where you can, distancing techniques should be used when appropriate and students encouraged or supported to access the confidential services offered on the school site and those provided across the city
  - **You must be clear to students that you cannot offer unconditional confidentiality when a student first begins to talk about something where confidentiality may become an issue.**
  - You are to warn students that if there is a child protection issue where the student, or others, is likely to be at risk of significant harm, **you are legally required to inform the school's Designated Safeguarding Lead (DSL) who may have to involve other agencies.** (Please refer to the RPCC Child Protection Policy for further advice on this aspect.)
  - School staff can only offer confidentiality to students on issues that do not involve significant illegal activities. Illegal activities include e.g. drug trafficking, arson, under age sexual activity etc. If the conversation begins to move to this kind of issue, the student must be warned that confidentiality cannot be guaranteed.

- In all cases where confidentiality has to be broken with the student, you must inform the student and reassure the student their best interests will be maintained.
- You are to encourage students to talk to their parents/carers about the issue that may be troubling them and support in doing this should be offered where appropriate.
- CPLO, Head of Year will make students aware of the specialist confidential services that may be available on the school site or in the school community e.g. school nurse, Careers advisor, doctor or young people's drop-in service.

#### 4. The Counsellor

[This is a contracted service - the counsellor is not an employee of the school]

- The Counsellor can be approached by any student for a confidential discussion. Sometimes the school (with the consent of the student/parent) may refer students to the counsellor for discussions.
- The Counsellor **cannot offer confidentiality over a child protection issue** but because sometimes it is necessary for a student to be able to talk about deep-seated troubling issues in order to help the student through their situation, **we do not require our counsellor to inform LT about illegal activities unless there is a child protection issue or other significant risk.**

#### 5. The health authority assigned Nurse

[This service is provided by the health authority and are not employees of the school]

The government has recognised that for some young people, unless they are able to speak to someone confidentially away from their family, their health and well-being can be at great risk. Health services (including doctors, our assigned nurse and health drop-in) can offer confidential health services (including contraception) to students under the age of 16 providing they follow the Fraser Guidelines which require:

- The young person understands the advice and has sufficient maturity to appreciate what is involved in terms of moral, legal, social and emotional implications for themselves.
- They cannot be persuaded to tell their parents/carers, or allow them to be informed.
- (If appropriate) they are likely to begin or continue having sex.
- The young person's physical or mental health is likely to suffer unless they receive advice or treatment.
- It is in the young person's best interests to give advice or treatment.

The requirement to offer a confidential service is within the professional Code of Practice for health authority assigned nurses and other health service staff. The government has also signed up to international legislation and charters which entitle young people to access health services.

However, health professionals like everyone else, must inform appropriate services if they become aware of a child protection issue in discussions with a young person.

NB On-site services are to be very clear in their publicity about the levels of confidentiality offered e.g. Youth Support Centre or school based health service will offer more confidentiality than will be offered by school employed staff.

## 6. The Careers Service

The Careers Service offers advice and support to young people aged 13-19, (up to 25 in the case of those with special needs), in order to help them reach their potential through education, training, employment and other developmental opportunities. In order to assist some young people to overcome the barriers that they face, the Careers advisor usually offers a confidential service similar to that provided by school nurses, (see above). They encourage young people to speak to their parents/carers about what is troubling them and they will offer support for this to happen.

RPCC have agreed with The Careers Advisor that their Personal Advisers **may offer** a confidential service to the students in our school. **Confidentiality cannot be kept if a child protection issue, including pregnancy, is disclosed.**

## Appendix 3

### Statement for parents concerning confidentiality and students

There is increasing national concern for the emotional health and well-being of young people growing up in today's society. At Regents Park, we recognise that parents want to do all they can to support their child but even in the most supportive of relationships where there is excellent communication between parent and child, there can be occasions when they are worried about something and feel that they cannot talk about it with you. This may result in enormous stress for the student which can impact on their education, health and behaviour, unfortunately self-harm and even suicide in the most extreme cases. Whilst we recognise that parents and carers will naturally be disappointed if their child does not choose to talk with you about what is troubling them, we feel there could be even more distress if the student is unable to cope with the issue themselves. On this basis we have agreed the following:

#### **1. School staff (with the exception of the health authority assigned nurse and contracted counsellor service)**

Our staff will be supportive to students who approach them with concerns but will make it clear that they cannot offer confidentiality to the student on anything that involves an illegal activity or anything that is a potential child protection issue where the student or others are likely to be at risk of significant harm. Senior staff in the school will liaise with parents/carers as appropriate in cases where a staff member has reported an issue over which they cannot offer confidentiality. Staff will support students to inform their parents about issues that are troubling them as appropriate. We will make students aware of specialist confidential services on our school site and in the community where they can seek assistance if they wish.

Under no circumstance is personal information about another student [this includes information concerning rewards and sanctions, incidents that have occurred in and out of school as well contact details and home circumstances], staff member or governor to be shared with a parent or member of the community.

#### **2. Counsellor Service**

Regents Park Community College gives access to a specialist counsellor who can be approached by any student for a confidential discussion. Sometimes we may also refer students to the counsellor for discussions. The counsellor cannot offer confidentiality over a child protection issue but because sometimes it is necessary for a student to be able to talk about deep-seated troubling issues in order to help the student through their situation, we do not require our counsellor to inform staff about illegal activities with the exception of all a child protection issues.

#### **3. Health Authority assigned Nurse & health practitioners' drop-in**

The government has recognised that for some young people, unless they are able to speak to someone confidentially away from their family, their health and well-being can be at great risk. Health services (including doctors, assigned nurse and health drop-in) can offer confidential health services (including contraception) to students under the age of 16 providing they follow the Fraser Guidelines which require:

- The young person understands the advice and has sufficient maturity to appreciate what is involved in terms of moral, legal, social and emotional implications for themselves.
- They cannot be persuaded to tell their parents/carers, or allow them to be informed.
- (If appropriate) they are likely to begin or continue having sex.
- The young person's physical or mental health is likely to suffer unless they receive advice or treatment.
- It is in the young person's best interests to give advice or treatment.

The requirement to offer a confidential service is within the professional Code of Practice for health authority assigned nurses and other health service staff. The government has also signed up to international legislation and charters which entitle young people to access health services. However, health professionals like everyone else, must inform appropriate services if they become aware of a child protection issue in discussions with a young person.

#### **4. Careers Service**

The Careers Service offers advice and support to young people aged 13-19, (up to 25 in the case of those with special needs), in order to help them reach their potential through education, training, employment and other developmental opportunities. In order to assist some young people to overcome the barriers that they face, the careers advisor usually offers a confidential service similar to that provided by nurses, (see above). They encourage young people to speak to their parents/carers about what is troubling them and they will offer support for this to happen. RPCC has agreed with their Personal Advisers that they may offer a confidential service to the students in our school; Confidentiality cannot be kept if a child protection issue is disclosed.

### **Statement for school students concerning confidentiality**

At Regents Park Community College we understand that there may be times when there are things which may be worrying you but you feel that you can't talk about them with your family. Teachers and other members of school staff will do all we can to help you but you need to know the following:

- If you really want to talk to someone confidentially, (without anyone else knowing what you have said), you can speak to the school counsellor, health authority nurse or the Careers Personal Adviser. We might also be able to help you find someone else outside of school if you think this is better for you.
- The teachers and other members of staff will often be able to help you with many of the things that may be worrying you but they cannot promise to keep everything to themselves. If you tell them about some things like selling drugs or stealing, arson, under age sexual activity, they will have to speak to one of the senior staff in the school who might then have to speak to your parents/carers or the police or social services.
- If the staff member feels that they have to tell someone else what you have talked about, they will always tell you first and help you sort it out, perhaps helping you to speak to your parents/carers if you want this.
- Very rarely there are things which you talk about that can be very dangerous for you or for other young people e.g. someone trying to harm you. Even the counsellor, nurse or Personal Advisers may have to tell someone else about what you have said, but they will tell you first and always help you to sort things out.
- Please remember that the nurse or Personal Advisers cannot hold information passed to them through dialogue in a lesson, in this situation they are bound by the same procedures as staff directly employed by the school. The only time they can maintain confidentiality is when they meet with you outside of lessons.