



# Confidentiality Policy

Last reviewed	January 2025
Approved	22 <sup>nd</sup> January 2025
Next Review	January 2027
Related Policies and Documents	Relationships & Sex Education Policy
	Anti-Bullying Policy
	Safeguarding including Child Protection Policy

## **Aims and Objectives**

This policy provides guidance and information on confidentiality procedures in the school for staff, students, parents/carers, volunteers and governors. Copies of this policy are available via the school website or on request for parents / carers, and on the school network for staff. Staff are also issued with a summary within the staff handbook.

## **Morals and Values**

The confidentiality policy at Hobart High School reflects the school ethos. It also demonstrates and encourages the following values:

- Respect for self
- Respect for others
- Responsibility for their own actions
- Responsibility for their family, friends, school and wider community.

## **Policy Statement**

This school always operates in a way that respects every individual and family's right to privacy. All our staff and visitors are therefore expected to work within the guidelines of this policy which conforms to government guidelines that protect confidentiality.

In practice, this means:

- Making it clear that gossip is discouraged
- Keeping personal records of behaviour confidential
- Not discussing student or family personal matters in a general way and / or in a public area
- Using teaching methods which protect confidentiality
- Always encouraging students to talk to their parents or carers about any anxieties they may have, while at the same time offering support for individuals and families from staff specialising in pastoral care.

On a few occasions, despite this approach and for various reasons, young people may at first feel unable to involve their parents / carers. Schools have found that under these circumstances parents / carers may feel it is important for the health and safety of their children that there should be a trusted adult to whom they can turn for early help and support, and to avoid situations becoming worse. The school therefore has in place a system whereby staff can offer children help in a limited 'confidential' way. This could involve referring a child to a health professional without informing his or her parent/carers.

Other related policies and documents include the Sex & Relationship Education (SRE) Policy, PSHE and Citizenship Policy, Anti Bullying Policy, Drug Education Policy, Safeguarding and Child Protection Policy, Sexting guidance document, Self-Harm guidance document.

## **Personal Disclosure**

Students will be made aware that some information cannot be held confidentially and made to understand that if certain disclosures are made, certain actions will ensue. At the same time, students will be offered sensitive and appropriate support. The following procedures will be adhered to by all adults:

- Disclosures or suspicion of possible abuse—the school's safeguarding and child protection procedures will be invoked (See relevant policy)
- Disclosures of pregnancy or advice on contraception—it is hoped that the following procedure will ensure that students who are in difficulty know that they can talk to an adult in the school and that they will be supported, professional information and guidance will always be sought from a health professional. The school will always encourage students to talk to parents/carers first.

Students should be asked whether they can tell their parents/carers and whether they want help in doing so. If this takes place, subsequent responsibility then lies with the parents/carers. Home contact may need to be made to check the student has had the conversation with their parent / carer.

If students refuse to tell their parents/carers, the adult should refer them to a health professional. If confidentiality has to be broken at any time, students will be informed first and then supported as appropriate.

The adult should record and file the incident confidentially in school. Confidential records are held by the Designated Safeguarding Lead. More detailed guidance on dealing with disclosures of a sexual nature is shown as a flow chart in Appendix A.

## **Confidentiality in the Classroom**

All teaching will be done in a way that reaffirms respect for everyone in the school and those associated with it. The following strategies for maintaining confidentiality in a class situation will be used in this school:

### **Setting Ground Rules**

Staff will work with students to develop 'ground rules' for lessons, discussions as appropriate, and make clear why these need to be agreed and respected by everybody. For example:

- No one - staff or students - will have to answer a personal question or disclose any personal details; it will be explained that this is a basic way of protecting ourselves and is not negotiable.
- Everyone has the right to 'pass' on a question if they want to
- No-one will be forced to take part in a discussion
- Everyone has the right to be listened to and have their views respected
- No teasing, jeering or bullying of any kind will be tolerated
- No sexual harassment will be tolerated
- If individuals do not want anyone to know something they can either talk about it as though it was someone else or refrain from sharing details

### **Depersonalising**

Teaching staff will protect students' privacy in the class by always depersonalising sensitive discussions. Students can then explore the issues being raised without having their personal lives or those of their families implicated or invaded and 'used' inappropriately by other students. For example:

- Use the 'third person' as appropriate to allow students to keep a distance ('If you were Jamie/Sara what would you do' rather than 'what would you do?')
- Collect answers anonymously on pieces of paper so that students can express their feelings without risking exposure
- Collect 'group' ideas without identifying individuals
- Use sensitively led role play activities to help students 'act out' situations and people they can identify within a 'contained' and safe way (always 'de-role' afterwards)
- Provide appropriate videos and written scenarios with invented characters to encourage students to imagine how the people would feel, and discuss what they would do in their shoes
- Organise planned visits by or to theatre in education groups - they provide a vehicle for probing sensitive issues, with actors expressing the emotions which students may be experiencing and answering questions 'in role'
- Making sure that students are informed of sources of confidential help, for example, Kooth, Chat Health or any other local young persons' advice services that may be relevant

## **Other Professionals Working in Schools**

Students may come into contact with a number of other professionals within the school, both those who work in the school and those visiting from outside agencies. For example:

- Health Professionals
- Youth Workers
- Outreach Workers
- MAP Workers
- Counsellors
- Matthew Project Workers
- Careers or Guidance Advisers

The involvement of these professionals raises a number of confidentiality issues:

### **Maintaining Confidentiality in a Classroom**

Other professionals may need some support in working with groups in a way that protects confidentiality. In a one-to-one setting it is good practice for other professionals to talk to students personally, to make sure that their concerns are identified, and that they understand the advice they are given. In a classroom setting, it is not appropriate to talk directly to individuals about their personal experiences.

## **Professional Codes of Conduct**

Whereas teachers are bound by their terms of contract and cannot promise students absolute confidentiality, other professionals - *when working with individual students* - are bound by their own professional codes of conduct which tend to give students the right to confidentiality, and it would be unreasonable to expect a professional to act outside his/her professional code within a school setting. Confidentiality, in these situations, should only be breached in exceptional cases when it is felt the student is at risk of harm and not without first informing the student.

In a classroom situation, including small group work, the school's policies and procedures apply to teachers and other professionals alike.

### **Giving Contraceptive Advice and Information**

There is a difference between a teacher giving general information about contraception in the classroom and other professionals giving individual advice to students about different kinds of contraception and which one might be most suitable for them. In a classroom situation, other professionals are bound by the school's confidentiality policy and should restrict themselves to general information about contraceptive advice and treatment.

## **Data Protection**

Confidentiality does not just relate to disclosures of information, which could have legal implications such as abuse. Staff members and volunteers should not handle *any* confidential information

carelessly, as students and other members of staff may regard this as the norm and respond in a similar manner if a confidence is passed to them.

The following measures are in place to ensure confidential information is dealt with appropriately:

- Student records are kept in locked filing cabinets in the guidance team office. This office is locked when staff are not in the room (entry by ID card). Most student files are retained for 7 years and then destroyed. If the records contain EHCPs, child protection / safeguarding information or exclusion details we follow our retention schedule guidance.
- Personal student information is not stored in the staffroom and is not displayed on notice boards - with the exception of healthcare plans and general pastoral information that needs to be shared.
- All school staff have access to private spaces where personal telephone calls can be made or taken.
- Discussing student, family or other staff members' personal matters in a general way is discouraged.
- Sensitive cases are allocated a staff key worker who will share confidential information about a student with relevant people in school on a need to know basis. Sharing of this must follow school Safeguarding/Child Protection, SEND or other relevant legislation/guidance.

### **Equal Opportunities Statement**

Our policy aims to respond to the diversity of children's cultures, sexual orientation, faiths and family backgrounds.

### **Sexual Identity and Sexual Orientation**

Hobart High School believes that the needs of all students should be met regardless of their developing sexuality. Staff are encouraged to deal honestly and sensitively with sexual orientation, answer appropriate questions and offer support. Homophobic bullying is dealt with strongly yet sensitively. The school liaises with parents / carers on this issue to reassure them of the content, context, support and information/referrals on to other agencies will be offered to students and/or their families as needed.

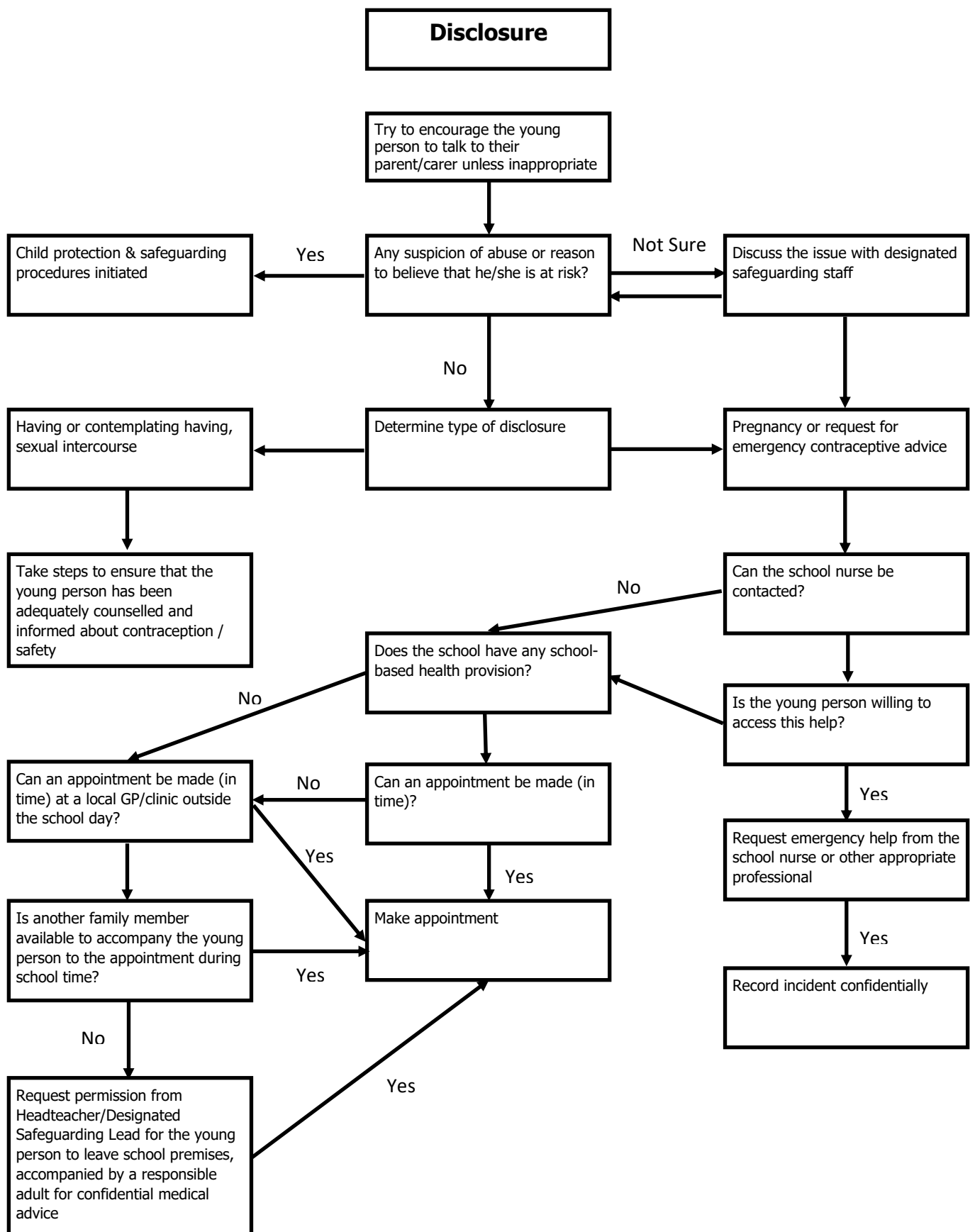
### **Dissemination**

All staff members, volunteers, families and governors have access to this policy via the school website. Training is delivered to staff on the policy content on a needs basis – this could be within other training such as safeguarding. Paper copies are available from the school office on request from parents / carers.

The Assistant Headteacher - Safeguarding & KS3 Student Guidance facilitates the gathering of policy feedback from parents, staff and students when appropriate.

## Appendix A - Disclosures of a Sexual Nature from Young People under the Age of 16

The flow chart below guides you through the decision making process when disclosure of a sexual nature are made by young people under the age of 16.



## **Disclosures of a Sexual Nature from Young People under the Age of 16**

1. Disclosures from young people may take place at an inappropriate place or time. If this happens, the teachers should talk again individually to the young person before the end of the school day, or delegate the task to a Designated Safeguarding Lead if appropriate due to the nature of the disclosure.
2. Throughout the whole process, the young person should be encouraged to talk to their parent or carer wherever possible. It is only in the most exceptional case that schools should be in a position of having to handle such information without parental knowledge.
3. Until it has been ascertained that the disclosure is not a child protection issue, young people must be aware that teachers cannot offer unconditional confidentiality but reassured that their best interests will be maintained. However, in one-to-one situations, teachers are NOT required by law to break confidentiality unless their teaching contract requires them to, or the child is at risk of harm and they consider it necessary to invoke child protection procedures. The teacher should ensure that if confidentiality has to be broken, the child will be informed first and supported as appropriate.
4. When the teacher who receives the information believes that there is a child protection issue to be addressed, they should refer the case to a Designated Safeguarding Lead for child protection and record the details according to the school approach (My Concern). Details should be shared immediately and in person if a child is at risk of harm.
5. The teacher may be able to discuss the issue with an appropriate colleague or organisation (eg. the designated safeguarding lead or children's services) without giving the name of the young person.
6. One type of disclosure is where a teacher learns from an under 16 year old that they are having (or contemplating having) sexual intercourse with a partner of roughly the same age.
7. Teachers may give individual students information about an appropriate health professional or clinic, even if they have been withdrawn from sex education lessons by their parents. However, teachers are not health professionals and so should not give individual advice on which method of contraception to use. Information about where young people can access local contraception and advice services (including dates and times) or contact details should be available in the school.
8. The kinds of disclosures in points 6 and 7 require action in line with our safeguarding policy, monitoring and recording.
9. Health professionals can give on-to-one advice or information to a young person on a health-related matter including contraception.
10. Young people may decide that they do not want the School Nurse / health professionals involved. Teachers are not bound by law to break the confidence of under 16s who ask for information or advice on contraception or other sexual health issues.
11. If the School Nurse is available, he/she may be able to take control of the issue and school staff will not need to be further involved.
12. Within the context of school-based health provision, health professionals can exercise their own professional judgement as to whether a young person has the maturity to consent to medical treatment including contraceptive treatment and terminations.

14. In either situation, the young people will need help, support and possible counselling as soon as possible. For emergency contraception, an appointment will need to be made within the time school required.
15. If attendance at a GP or clinic during the school day is unavoidable, the young person should try to seek out another responsible member of their family to accompany them for support. This family member will be able to authorise absence.
16. When the young person wishes to complete confidentiality, a responsible member of staff (including teaching assistants) can accompany the young person to the GP or clinic during the school day without being informed of the details of the appointment. The Head of School or Designated Safeguarding Lead must give permission for the young person to leave the school premises for health advice, but again, does not need to be informed of the details.
17. The young person should be encouraged to make their own appointment but, in exceptional circumstances, teachers may make the appointment on their behalf.
18. Disclosures of this nature, and the resulting events, should be recorded and filed confidentially in school. These records could be held with the Designated Safeguarding Lead for child protection.