



Learn-AT

Learning ~ Fellowship

Confidentiality Policy

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Please note that this policy supersedes and replaces any equivalent policies or sections of policies. This policy is non contractual and can therefore be amended without consultation. Before you use this policy, please check you have the latest version using the footer reference and Learn-AT Policy Index.

This policy applies to all Learn Academies Trust schools and should be read in conjunction with the latest associated guidance issued by Learn-AT.

1. Introduction

- 1.1. At Learn Academies Trust we believe that the safety, wellbeing and protection of our children are the paramount considerations in all decisions made about confidentiality. The appropriate and legitimate sharing of information between school staff and between school staff and outside agencies is an essential element in ensuring our children's wellbeing and safety.
- 1.1. It is an important part of our ethos that trusting relationships are established between children and staff, and between staff and parents/carers, to enable the best and most appropriate support to be given to our children. Trusting relationships can only be established if staff, children and parents/carers are all clear about our policies and procedures for the sharing of personal information.
- 1.2. By developing a clear policy for confidentiality we aim to foster an ethos of trust within our schools, enabling children and parents/carers to feel comfortable confiding in members of staff and staff to feel confident about how they should deal with different situations that may arise.
- 1.3. All Learn-At staff and volunteers receive safeguarding training and are expected to follow our Safeguarding Policy at all times.
- 1.4. This policy should be read in conjunction with the [Learn-AT E-Safety Policy](#), [Learn-AT Data Protection Policy](#), [Learn-AT Privacy Notice for Staff](#), [Learn-AT Privacy Notice for Governors, Trustees and Volunteers](#), [Learn-AT Privacy Notice for Parents and Carers](#) and [Learn-AT Privacy Notice for Pupils](#).

2. General Principles

- 2.1. All personal information about an individual child or staff member is private and will only be shared with those who need to know.
- 2.2. Staff performance management will be carried out confidentially.
- 2.3. Medical information about staff will only be shared on a need to know basis.
- 2.4. All safeguarding, medical and personal information about a child or staff member will be held in a safe and secure place which can only be accessed by authorised staff.
- 2.5. All children and staff have a right to the same level of confidentiality irrespective of gender, race, religion, culture, class, medical concerns and special educational needs. Where data is analysed using these criteria, it should be done in a way that

does not make it possible to identify an individual.

- 2.6. Information about a child's medical needs will be shared with all staff who need to be aware of it, but will not be displayed anywhere that is on general view to parents/carers and children.
- 2.7. Photographs of children will not be used in any publication, including local press, or online platform without parents/carers' written permission.
- 2.8. Professionals visiting the school, such as school nurses, counsellors or education psychologists, are bound by professional codes of conduct which uphold confidentiality. They will work within the school's policy in classroom situations.

Parents/carers and children

- 2.9. Learn-AT believes that it is essential to work in partnership with parents and carers. To this end, our schools will keep parents informed about their child's progress, including any concerns about their academic progress or behaviour.
- 2.10. Parents/carers have a right to access any records the school may hold on their child.
- 2.11. Parents/carers do not have a right to information about any children that they do not have parental responsibility for, including access to other children's books, marks and progress grades or information about behaviour incidents involving other children.
- 2.12. Where a child discusses a difficult personal matter with staff, they will be encouraged to also discuss the matter with their parents.
- 2.13. There may be occasions when information is not discussed with parents to safeguard the welfare and wellbeing of the child.
- 2.14. Parents/carers and children need to be aware that the school has a duty to report child protection issues and concerns and cannot guarantee total confidentiality in these instances. Please refer to our Safeguarding Policy for more information.
- 2.15. Classroom work such as circle-time and other PSHE sessions dealing with sensitive issues such as sex, relationships and drugs can sometimes lead to disclosure of a child protection issue. If a child begins to talk about something personal and sensitive, staff will protect them from sharing this information with the group, instead giving them an opportunity to talk about their issue in private at a later time.

3. Volunteers

- 3.1. Anyone who comes into school as a volunteer will be given training in safeguarding as part of their induction and will be expected to follow Learn-AT's Safeguarding Policy at all times.
- 3.2. Volunteers must not discuss any school matters or information about any individual child in the wider community including details of any behaviour incidents that they may have seen whilst carrying out their role in school.

4. Staff

- 4.1. Confidentiality is an important principle that enables children and parents/carers to feel safe in sharing their concerns and to ask for help. However, the right to confidentiality is not absolute. Sharing relevant information with the right people at the right time is vital to good safeguarding practice.
- 4.2. There is nothing in legislation which prevents the justifiable and lawful exchange of information for the protection of children or the prevention of a serious crime.
- 4.3. The safety of the child takes precedence over the need to maintain appropriate confidentiality.
- 4.4. A child's safety must not be compromised through the inappropriate sharing of information. There must be a clear and legitimate purpose for information sharing.

4.5. It is NOT acceptable for school staff to do the following:

- Discuss issues of child confidentiality with colleagues who have no legitimate concern or interest. If in any doubt, contact the DSL to discuss.
- Discuss issues of child confidentiality, including behaviour incidents, with other children who have no legitimate concern or interest.
- Discuss issues of child confidentiality in inappropriate social settings and circumstances.
- Where a child's circumstances may be impacting on their progress and you wish to share this information to help them, consider what information you need to share. In general others only need to know how to help the child, not what the cause of the concern is.

5. Golden rules for sharing information

- 5.1. The Data Protection Act 2018, GDPR and human rights law are not barriers to justified information sharing, but provide a framework to ensure that personal information about living individuals is shared appropriately.
- 5.2. Be open and honest with the individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
- 5.3. Seek advice from the DSL or Data Protection Officer if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
- 5.4. Share with informed consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, there is good reason to do so, such as where safety or wellbeing may be at risk. You will need to base your judgement on the facts of the case.

- 5.5. Keep a record of your decision and the reasons for it. If you decide to share, then record what you have shared, with whom and for what purpose.