
Data Protection & Confidentiality Policy

2017 – 2019

Policy Updated: September 2017

Future Review: September 2019

Woodstock CE Primary School recognises its responsibility for Safeguarding & Child Protection.



National Teaching School
designated by

National College for
Teaching & Leadership



DATA PROTECTION & CONFIDENTIALITY POLICY

AIM

To protect the child at all times and to give all staff clear, unambiguous guidance as to their legal and professional responsibilities, and to ensure good practice throughout the school which is understood by pupils, parents and staff.

The Data Protection, Freedom of Information and Human Rights Acts all need to be taken into consideration:

Human Rights Act 1998

Gives everyone the right to 'respect for his private and family life, his home and his correspondence', unless this is overridden by the 'public interest', for example for reasons of Child Protection, for the protection of public safety, public order, health or morals or for the rights and freedoms of others.

Data Protection Act 1998

Applies to personal data of living, identifiable individuals, not anonymised data; manual and electronic records. Schools need to be clear, when collecting personal data, what purposes it will be used for and schools should have policies to clarify this to staff, children and parents/carers.

Freedom of Information Act 2000

Amends the Data Protection Act. Gives everyone the right to request any records a public body, including schools, holds about them. A school may withhold information it has if it is considered the information may damage the recipient, if disclosed. Schools data or record keeping policy should also cover the requirements of this Act.

RATIONALE

Woodstock Primary School seeks to put the child at the heart of the learning process and to provide a safe and secure learning environment. It seeks to implement the underlying principles of the Every Child Matters Agenda and to address the issues, which may arise about confidentiality. It 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.

OBJECTIVES

- To provide consistent messages in school about handling information about children once it has been received.
- To foster an ethos of trust within the school.
- To ensure that staff, parents and pupils are aware of the school's Confidentiality Policy and procedures.
- To reassure pupils that their best interests will be maintained.

- To ensure that pupils and parents/carers know that school staff cannot offer unconditional confidentiality.
- To ensure that there is equality of provision and access for all, including rigorous monitoring of cultural, gender and special educational needs.
- To ensure that if there is a child protection issue then the correct procedure is followed.
- To ensure that confidentiality is a whole school issue and that in lessons, ground rules are set for the protection of all.
- To understand that health professionals are bound by a different code of conduct.
- To ensure that parents have a right of access to any records the school may hold on their child but not to any other child that they do not have parental responsibility for.

LINKS

This Confidentiality Policy is linked to the School's policies for PSHE & Citizenship, Drug Education, RE, Equality, Relationship & Sex Education, Child Protection & Safeguarding, and Anti-bullying.

GUIDELINES

- All information about individual children is private and should only be shared with the staff that have a need to know.
- All social services, medical and personal information about a child should be held in a safe and secure place which cannot be accessed by individuals other than school staff.
- The school prides itself on good communication with parents and carers, and staff are always available to talk to both children and parents/carers about issues that are causing concern. The school encourages children to talk to parents/carers about issues causing them concern and may in some cases support the children to talk to their parents.
- All children have a right to the same level of confidentiality irrespective of gender, race, religion, medical concerns and special educational needs. Much data is generated in schools by these categories but individual children should not be able to be identified.
- The school continues to actively promote a positive ethos and respect for the individual:
 - The school has appointed a senior lead teacher for Safeguarding who receives regular training. This is Lisa Rowe – Headteacher.
 - There is clear guidance for the handling of child protection incidents. All staff have regular training on safeguarding and child protection issues.
 - There is clear guidance for procedures if a member of staff is accused of abuse.
 - Staff are aware that effective Relationship and Sex Education which brings an understanding of what is and is not acceptable in a relationship, can lead to disclosure of a child protection issue.
 - Staff are aware of the need to handle all issues about different types of families in a sensitive manner.
 - Any intolerance about gender, faith, race, culture or sexuality is unacceptable and should follow the school's Discipline Policy / Anti-bullying Policy.
 - Information collected for one purpose should not be used for another.

- Parents and children need to be aware that the school cannot guarantee total confidentiality and the school has a duty to report child protection issues.

'Woodstock CE Primary School prides itself on good communication with parents and staff are always available to talk to both children and their parents about issues that are causing concern. The school encourages children to talk to their parents about issues causing them concern and may in some cases support the child to do this. The school will always seek to discuss any concern/disclosure with the parents in the first instance. On occasion, dependent upon the nature of our concern, it may be necessary for us to make an immediate referral to Children's Services, when to do otherwise may put the child at risk of further harm either because of delay, or because of the actions of the parents.'

- Confidentiality is a whole school issue. Clear ground rules must be set for any classroom work such as circle time and other PSHE sessions dealing with sensitive issues such as sex and relationship and drugs.
- All children, parents, staff members and governors must enjoy privacy from gossip. All matters are dealt with according to the school's procedures and out of the eye of the wider community. It is important that:
 - Staff do not discuss details of individual cases arising in staff meetings to any person without direct professional connection to and interest in the welfare and education of the individual concerned.
 - No member of staff discusses an individual child's behaviour in the presence of another child in school.
 - Staff do not enter into detailed discussion about a child's behaviour with other children or their parents.
 - Governors, in particular those sitting on Discipline Committees, do not divulge details about individuals (be they staff, families or individual children) to any person outside of the meeting.
 - Parent working in school, as volunteers do not report cases of poor behaviour or school discipline to other parents in school. This allows teachers to deal with matters in-line with school policy.
 - At full Governing Body and Governor Committee meetings matters such as pupil exclusion, personnel issues and personal details of any member of the school community are confidential and are not for the knowledge of persons outside the meeting. Confidential matters are minuted separately and are not published.
 - Staff performance management (Appraisal), will be carried out privately. Targets for individuals, named lesson observation sheets and other performance data will be held in the Headteacher's office and electronic copies will only be available from the Headteacher's computer.
 - Matters of child protection are made to staff on a need to know basis.
 - It is important that class teachers and support staff are aware of some confidential matters in order to support individuals. These staff will respect the sensitivity of such cases and not divulge information to people unconnected professionally with the individual concerned.
 - When volunteers, such as parents and friends of the school are working in classes, they do not discuss educational matters outside the classroom, for example, the specific use of teaching assistants time for particular children or groups of pupils, teaching assistants have different roles within a class, including the support of children with special educational needs. The provision and work with these children is for the teacher to discuss with the relevant parents.
 - Volunteers, students and supply teachers are asked to read this Policy before working in school, and when the Policy is reviewed every two years.

- Health professionals are bound by their professional codes of conduct to maintain confidentiality when working in a one to one situation. When working in a classroom, they are bound by relevant school policies. In-line with best practice guidance, like other staff in school, they will seek to protect privacy and prevent inappropriate personal disclosures in a classroom setting, by negotiating ground rules and using distancing techniques.
- Staff should be aware of children with medical needs. This information should be accessible to staff who need it but not on general view to other parents and children.
- Photographs of children should not be used without parents/carers permission especially in the press and Internet. This is often a culture of which the school needs to be aware. **At no time should the child's name be used with a photograph so that they can be identified.** The school gives clear guidance to parents about the use of cameras and videos during public school events.
- Information about children will be shared with parents but only about their child. However, parents should be aware that information about their child will be shared with the receiving school when they change school.
- All personal information about children including social services records should be regarded as confidential. It should be clearly understood by those who have access to it, and whether those concerned have access to all, or only some of the information.
 - Information regarding health reports such as speech therapy, medical reports, SEN reports, SEN minutes of meetings and social services minutes of meetings and reports will be circulated in envelopes and once read should be returned for secure filing.
 - Logs of administration of medication to children should be kept secure and each child should have their own individual log.
 - Addresses and telephone numbers of parents and children will not be passed on except in exceptional circumstances or to a receiving school.
- Governors need to be mindful that from time to time, in meetings, issues are discussed or brought to their attention about staff and children.

All such papers should be marked as confidential and should be copied onto different coloured paper. These confidential papers should be collected and destroyed. Governors must observe complete confidentiality when asked to do so by the Governing Body, especially in relation to matters concerning individual staff, pupils or parents. Although decisions reached at governors' meetings are normally made public through the minutes or otherwise, the discussions on which decisions are based should be regarded as confidential. Governors should exercise the highest degree of prudence when discussion of potentially contentious issues arises outside the Governing Body.
- All staff sign and adhere to the ICT Acceptable Use Policy at all times; a signed copy of the Agreement is kept for each member.

CLEAR DESK WORKING AND MAINTAINING OF CONFIDENTIAL INFORMATION

A clear desk policy must be adhered to at the end of the day. All confidential material must be locked away securely overnight. All laptops which are left for any length of time during the day must be locked with a personal confidential password.

All sensitive or confidential information will only be available to the relevant members of staff, which is stored in a child's file or on the school computerised database.

DISSEMINATION

This policy is widely publicised to all in the community:

- Through the Staff Handbook and referred to in staff induction
- On the school website

MONITORING & EVALUATION

- The policy will be reviewed by the Leadership Team and ratified by the H&S Committee of the Governing Body as part of the school's monitoring cycle.
- The PSHE curriculum, Sex and Relationship Policy and Drug Policy will enable identified opportunities to deliver aspects of this policy in specified year groups.
- The Headteacher has responsibility for monitoring this policy.

CONCLUSION

Woodstock CE Primary School recognises the importance of its duty of care and responsibility towards pupils, parents/carers and staff. It also needs to work with a range of outside agencies and share information on a professional basis. The care, safety and protection of the individual is the key issue behind this document.

Date of Review: Autumn 2017

Future Review: Autumn 2019



DATA PROTECTION & CONFIDENTIALITY AGREEMENT

In your work within the school, whether in a paid or voluntary capacity, you are likely to have access to personal information regarding pupils, parents and staff that is of a confidential nature. You are asked to read the Confidentiality Policy and sign this Agreement to confirm that:

- ❖ You are clear about when information can be shared and in what circumstances it is appropriate to do so.
- ❖ You are expected to treat information you receive about children in a discreet and confidential manner.
- ❖ You will seek advice from a senior member of staff if you are in any doubt about sharing information you hold, or information that is requested from you.
- ❖ You know to whom concerns or allegations should be reported.

I am a member of staff

A volunteer worker

A governor

Signed:

Date:

