



## ***Wyvern Academy***

*A company limited by guarantee, registered in England and Wales. No 8123602*

# **CONFIDENTIALITY POLICY**

**Review of Policy: Autumn 2023**

**Members of staff responsible: Head Teacher**

**Policy History: Ratified**

## **Description of Policy Formation and Consultation Process**

**People involved:** Headteacher  
F&R Committee  
FTB

Signed by Chair of Trustees:

Date: 28.09.23

Date for Review: Autumn 2024

# **Wyvern Academy**

# **Confidentiality Policy**

**This policy reviewed by Katherine Seymour**

**Date: September 2023**

**Next review date: September 2024**

**This policy should be read in conjunction with the school's child protection procedures.**

## **Rationale and statement on the importance of confidentiality**

### **At Wyvern Academy we believe that:**

- The safety, well-being and protection of our pupils are the paramount consideration 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 pupils well-being and safety.
- It is an essential part of the ethos of our school that trust is established to enable pupils, staff, and parents/carers to seek help both within and outside the school and minimise the number of situations when personal information is shared to ensure pupils and staff are supported and safe.
- Issues concerning personal information, including information about sex, relationships and other personal matters, can arise at any time.
- The duty of confidentiality applies to every person in the school/setting regardless of age.
- 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.
- The school's attitude to confidentiality is open and easily understood and everyone should be able to trust the boundaries of confidentiality operating within the school.
- The school will follow its child protection procedures which are adopted by the Trustee Board and outlined in the model policy from Dorset Council and the Pan-Dorset safeguarding Children Partnership website.

### **The principles we follow at Wyvern Academy are that in all cases we will:**

- Ensure the time and place are appropriate for discussions which may be personal and sensitive; when they are not we reassure the child that we understand they need to discuss something very important and that it warrants time, space and privacy.
- For children: See the child - normally (and always in cases of neglect, or abuse) before the end of the school day. More serious concerns must be reported immediately to ensure that any intervention necessary to protect the child is accessed as early as possible.
- For adults: See the person - normally before the end of the day.
- Tell the child/adult that we cannot guarantee confidentiality if we think they have or will:
  - hurt themselves
  - hurt someone else

or if they tell us that someone is hurting them or others  
or if they have committed a criminal offence

- Not interrogate the child/adult or ask leading questions.
- Not put children/adults in the position of having to repeat distressing matters to several people.
- Inform the child/adult first before any confidential information is shared, with the reasons for this.
- Encourage a pupil, whenever possible to confide in his/her own parents/carers.

### **Involvement of the staff, pupils, parents and the wider community in developing this confidentiality policy**

A working group consisting of representatives of staff, pupils, parents, carers and governors established the draft of this policy. A wide consultation has taken place with the whole school community, including our partner agencies and their feedback taken on board. The final policy was agreed by the Senior Leadership Team and the school's Trustee Board, and has been widely disseminated to staff, pupils, parents and carers and partner agencies.

It forms part of the induction of all new staff, including voluntary staff and is reviewed every year.

### **Definition of Confidentiality**

The dictionary definition of confidential is "something which is spoken or given in confidence; private, entrusted with another's secret affairs"

When speaking confidentially to someone the confider has the belief that the confidant will not discuss the content of the conversation with another. 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 situations where absolute confidentiality is offered in Wyvern Academy. We have tried to strike a balance between ensuring the safety, well being and protection of our pupils and staff, ensuring there is an ethos of trust where pupils and staff can ask for help when they need it and ensuring that when it is essential to share personal information safeguarding procedures and models of good practice are followed.

This means that in most cases what is on offer 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.

### **The principle of confidentiality**

The general rule is that all staff<sup>1</sup> should make clear that there are limits to confidentiality, at the beginning of the conversation, or as soon as the issue arises during a conversation. These limits relate to ensuring children's safety

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<sup>1</sup> Staff refers throughout this document to all adults working within the school, or on the school's behalf, whether on a permanent, paid basis or not.

and well-being. The pupil or adult (confider) will be informed when a confidence has to be broken for this reason and will be encouraged to do this for themselves whenever this is possible.

Different levels of confidentiality are appropriate for different circumstances.

**1. In the classroom in the course of a lesson** given by a member of 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 everyone involved in the lesson that this is not the time or place to disclose confidential, personal information. An example of setting ground rules to avoid personal disclosures or to manage them if they arise is included later in this policy.

When a health professional is contributing to a school health education programme in a classroom setting, s/he is working with the same boundaries of confidentiality as a teacher.

**2. One to one disclosures to members of school staff (including voluntary staff).**

It is essential all members of staff know the limits of the confidentiality they can offer to pupils, parents/carers and other staff and any required actions and sources of further support or help available for the confider and for the confidant within the school and from other agencies, where appropriate.

All staff at this school encourage pupils to discuss difficult issues with their parents or carers, and vice versa. However, the needs of the pupil are paramount and school staff will not automatically share information about the pupil with his/her parents/carers unless it is considered to be in the child's best interests. (Note: That is, that when concerns for a child or young person come to the attention of staff, for example through observation of behaviour or injuries or disclosure, however insignificant this might appear to be, the member of staff should report this to the Designated Safeguarding Lead (DSL) for Child Protection (Richard Holt) as soon as is practically possible using the reporting systems outlined in the Child Protection Policy. More serious concerns must be reported immediately to ensure that any intervention necessary to protect the child is accessed as early as possible.

**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 pupils provided 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 pupils to discuss issues with their parents or carers. However, the needs of the pupil are paramount and the school nurse will not insist that a pupil's parents or carers are informed about any advice or treatment they give.

### **Guidance for staff**

School staff (including non-teaching and voluntary staff) should not promise confidentiality. Pupils do not have the right to expect that incidents will not be reported to his/her parents/carers and may not, in the absence of an explicit promise, assume that information conveyed outside that context is private. No member of this school's staff can or should give such a promise.

The safety, well-being and protection of the child is 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 Wyvern Academy we believe it is important staff are able to share their concerns about pupils with colleagues in a professional and supportive way, on a need to know basis, to ensure staff receive the guidance and support they need and the pupils' safety and well-being is maintained. School staff should discuss such concerns with their line manager or the Designated Safeguarding Lead.

### **Teachers and health professionals:**

Professional judgement is required by a teacher or health professional in considering whether he or she should indicate to a child that the child 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 or health professional must consider the best interests of the child including the need to both ensure trust to provide safeguards for our children and possible child protection issues.

All teachers at this school receive basic training in safeguarding as part of their induction to this school, full one-day specialist training and are expected to follow the school's Safeguarding Policy, child protection and related procedures.

### **Visitors and non-teaching staff:**

At Wyvern Academy, we expect all non-teaching staff, including voluntary staff, to report any disclosures by pupils or parents/carers, of a concerning personal nature to the Designated Safeguarding Lead (or deputy DSL) as soon as possible after the disclosure and in an appropriate setting, so others cannot overhear. This is to ensure the safety, protection and well-being of all our pupils and staff. The DSL will decide what, if any, further action needs to be taken, both to ensure the pupil gets the help and support they need and that the member of staff also gets the support and supervision they need.

### **Parents/carers:**

Wyvern Academy 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 that our pupils can share any concerns and ask for help when they need it.

The safety, well-being and protection of our pupils is the paramount consideration in all decisions staff at this school make about confidentiality.

### **Complex cases**

Where there are areas of doubt about the sharing of information, all staff should seek advice from the head teacher and/or a LA Safeguarding Officer.

### **Use of ground rules to be used in lessons**

*(This is also be contained in policies relating to the teaching of PSHE, including sex and relationship education and drug education)*

We adopt class rules to ensure a safe environment for teaching, in particular in PSHE and Circle time. This reduces anxiety to pupils and staff and minimises unconsidered, unintended personal disclosures.

At the beginning of each PSHE lesson and Circle time, pupils are reminded of the class rules by the teacher or outside visitor. The teacher establishes the ground rules together with the pupils at the beginning of each half term of teaching PSHE and Circle time.

### **When confidentiality should be broken and procedures for doing this:**

Reference to confidentiality must not jeopardise the safety and wellbeing of pupils at the school. In cases of possible abuse or neglect staff **must** use the procedures within the school's child protection procedures to disclose relevant information.

If the Head teacher issues instructions that s/he should be kept informed, all staff must comply. There is always a good reason for this, which you may not know about.

### **Support for staff**

Staff may have support needs themselves in dealing with some of the personal issues of our pupils and/or parents and carers. At Wyvern Academy we prefer staff to ask for help rather than to make a poor decision because they don't have all the facts or the necessary training, or take worries about pupils home with them. There are agencies we can refer pupils to if they need additional support and we have procedures to ensure this happens. We all work together as part of a team to support our pupils and asking for help is a way we ensure Wyvern Academy is a happy and safe learning environment.

Teaching staff should discuss any concerns about pupils with their head of department, Teaching Assistants with their class teacher.

Any unresolved issues should be discussed with a member of the Senior Leadership Team.

### **Recruitment**

In keeping with safeguarding best practice, all interviewees are required to answer a question on confidentiality in the context of interactions outside of school, inside school, in written materials and on social media.

### **Mobile devices**

The academy has issued specific guidance on the use of mobile phones and other personal portable devices and this is found as an appendix to the Staff Code of Conduct. Wyvern staff, visitors and pupils are not permitted to use personal electronic devices such as mobile phones, tablets and cameras to record images of pupils or any confidential information. Electronic storage of pupil details, in keeping with GDPR, is now handled through secure cloud storage. Staff are not permitted to use portable memory such as memory sticks or SD cards.

### **Social Media**

The academy has issued specific guidance on the use of social media and this is also found as an appendix to the Staff Code of Conduct. Staff and volunteers are expressly prohibited from discussing pupils, incidents, other staff details or in any other way divulging information about specific pupils whether they are named or not on social media. Any breach of this is considered publication and if brought to the attention of senior leadership may result in disciplinary action.

### **Dissemination and implementation:**

This policy has been distributed to all teaching and non-teaching staff, including volunteers, at the school electronically and is discussed in staff and team meetings.

The School Council has developed a simplified version for pupils and parents/carers, which forms part of the school prospectus.

All new staff, including volunteers, receive a copy of the policy, together with basic training on the school's Safeguarding Policy and child protection procedures from the Head teacher or Designated Safeguarding Lead.

*This policy is to be read in conjunction with all others that come under the Wyvern Academy safeguarding set of policies which include: Child Protection, Behaviour (including anti-bullying), Attendance and Children Missing in Education, Staff Code of Conduct, SRE, Intimate Care, Medical, Whistle-Blowing, Health and Safety, E-Safety, Safer Recruitment, Allegations Procedures.*

*As such reference is made to the key guidance documents: Keeping Children Safe in Education 2023 and Guidance for Safer Working Practice 2019.*



# **Wyvern Academy**

## **Confidentiality Form**

**The Governors of Wyvern Academy would ask that all matters relating to the school (staff, pupils and finances) are dealt with in the strictest confidence and should not be discussed with anyone outside Wyvern.**

**Staff should also be aware of the presence of non-staff members (e.g. voluntary helpers and students on work placement at Wyvern) when in discussion with colleagues, whether in the classroom or staffroom.**

**Confidential information should only be discussed between members of staff and others within the multi-disciplinary team, where appropriate.**

**Signed .....**

**Date .....**

**Copy 1    Staff Member**  
**Copy 2    Personnel File**

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**Wyvern Academy**

**Confidentiality Form**

**(All Supply Personnel, Voluntary  
helpers/Work Placements)**

The Governors of Wyvern Academy would ask that all matters relating to the school are dealt with in the strictest confidence and not discussed with anyone outside Wyvern.

Confidential information that you may become party to should only be discussed between members of staff, and others within the multi disciplinary team, where appropriate.

Signed .....

Date .....

Copy 1    Staff Member  
Copy 2    Personnel File

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