

Reading Early Years Schools Federation (REYS)



Confidentiality Policy

Signed by Chair of Governors: Caroline Wharton

Signed by Executive Head teacher: Joanne Budge

Date: December 2020

Date to be reviewed: December 2023

December 2020 – Next review December 2023

Aim

To protect the children and all members of the nursery communities at all times and to give staff and governors clear, unambiguous guidance as to their legal and professional roles, to ensure good practice throughout the school which is understood by everyone.

Rationale

REYS federation puts the child at the heart of the learning process and provides a safe and secure learning environment. 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 Nurseries are mindful that they are 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. The policy deals with personal information that may be divulged during the course of a day. It is not meant to deal with certain extreme situations where there is an urgent need for the disclosure of information to relevant bodies.

In extreme situations, such as medical emergencies, staff members should pass on information as necessary for the wellbeing of the child.

Objectives

- To provide consistent messages in both Nursery Schools about handling information about children, families or staff once it has been received
- To foster an ethos of trust within all our Nursery Schools
- To ensure that staff, governors, parents and children are aware of the Nursery School's confidentiality, policy and procedures
- To reassure children that their best interests will be maintained
- To ensure that children and parents/carers know that Nursery School staff cannot offer unconditional confidentiality
- To ensure that there is equality of provision and access for all including rigorous monitoring of cultural, gender, sexual orientation and special educational needs
- To ensure that in cases of child protection issues the correct procedure is followed
- To ensure that confidentiality is a whole Nursery School issue and that in all activities ground rules are set for the protection of all
- To understand that any external agencies may be 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.

Definitions

Confidentiality: Confidentiality is an understanding that any information shared with someone in trust will only be passed on to a third party with the prior agreement of the person disclosing it.

Disclosure: Within this policy, a 'disclosure' is the sharing of any private information. It does not solely relate to child protection issues. Disclosure of the content of a conversation may be discussed with professional colleagues, but the confider would not be identified except in pre-determined circumstances

Limited confidentiality: In practice, there are few situations where absolute confidentiality can be offered. The school aims to strike a balance between confidentiality and trust, and ensuring the safety, wellbeing and protection of our pupils. In almost all cases of disclosure, limited confidentiality is on offer.

The professional judgement of a teacher, counsellor or health professional is vital when considering whether to inform a child that a disclosure may be made in confidence and whether such confidence could remain having heard the information.

Designated Safeguarding Lead: The Designated Safeguarding Lead is a designated staff member responsible for ensuring that the Child Protection and Safeguarding Policy is implemented by the entire REYS community and ensures the wellbeing and protection of the children. A full list of Designated Safeguarding Leads (DSL) and Designated Safeguarding Deputies (DSD) is available on our website and in our Child Protection and Safeguarding Policy.

Guidelines

All information about individual children is private and should only be shared with those staff and governors 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 the designated officers

The Nursery Schools continue to actively promote a positive ethos and respect for the individual through ensuring:

The Executive head teacher and all Designated Safeguarding Leads and Designated Safeguarding Deputies regularly attend relevant training.

There is clear guidance for the handling of child protection incidents. All staff and governors have regular training on child protection issues

There is clear guidance for procedures if a member of staff is accused of abuse

Staff are aware that effective sex and relationship 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 and governors 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 Nursery school behaviour policy

Parents/carers and children need to be aware that the Nursery Schools cannot guarantee total confidentiality and have a duty of care to report child protection issues

The Nursery Schools pride themselves on good communication with parents and carers and staff are always available to talk to both children and parents and carers about issues that are causing concern. Each Nursery encourages children to talk to parents and carers about issues causing them concern and may in some cases support the children to talk to their parents. Each nursery would share with parents any child protection disclosure unless such action puts the child at greater risk before going on to inform the correct authorities.

Photographs of children should not be used without parents and carers permission especially in the press and internet. At no time should the child's name be used with a photograph so that they can be identified unless previously agreed by parents. The Nursery Schools give clear guidance to parents about the use of cameras and videos during public school events such as pictures of other children must not be posted on Social Networking sites.

No mobile phones are allowed in the rooms where the children are. Staff phones must be stored in lockers in staff room (where one is available)

Governors need to be mindful that from time to time 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 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.

One-to-one disclosures

Staff members should make it clear that they may have to pass on some information if they believe the child is at risk. 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 discuss this with the Designated Safeguarding Lead as soon as possible. More serious concerns must be reported immediately to ensure that any intervention necessary to protect the child is accessed as early as possible. Please see the Child Protection and Safeguarding Policy for further information regarding safeguarding.

Breaking confidentiality

When confidentiality must be broken because a child may be at risk of harm, in accordance with our Child Protection and Safeguarding Policy, the school will ensure the following:

- Children are told when the information has been passed on.
- Children are kept informed about what will be done with the information.
- To alleviate their fears about everyone knowing, children are told exactly who their information has been passed on to
- In our nurseries, the Designated Safeguarding Lead is to be informed of all incidents regarding child protection concerns.
- Staff members are contractually obliged to immediately inform the Designated Safeguarding Lead.
- Staff members are not obliged to inform the police on most matters relating to illegal activity such as illegal drugs or assaults - these should be assessed on a case-by-case basis with the support of the Senior Leadership Team.
- Staff members are not permitted to pass on personal information about pupils indiscriminately.

Guidance for staff and volunteers

- School staff must not promise confidentiality. Children do not have the right to expect that incidents will not be reported to parents or carers and may not, unless made an explicit promise, assume that the information will not be passed on to a relevant body. No member of the school staff should give such a promise.
- The safety and protection of the children is the paramount consideration in all confidentiality decisions.
- Staff members are not obliged to break confidentiality unless there is a child protection concern.
- Staff members are encouraged to share their concerns about children, in a professional and supportive way with relevant colleagues.
- In extreme cases, staff in breach of this policy may face disciplinary action, if it is deemed that confidential information was passed on to a third party without reasonable cause.

The following principles will be adhered to:

- Personal matters are discussed in an appropriate time and place.
- A child with concerns is spoken to in confidence as soon as possible.
- Where there are child protection concerns, the child is always spoken to in confidence before the end of the school day.
- A child is told, prior to disclosures, that a staff member cannot guarantee confidentiality if they think a child may hurt themselves, hurt someone else or is being hurt by others.
- The child will not be interrogated or asked leading questions.

- A child will not be placed in the position of having to repeat the disclosure to several people.
- The child will be informed before information is shared.
- Where possible, the child is told to confide in their parents or carers.

Staff members may find themselves dealing with highly personal issues and potentially upsetting disclosures. Staff members are encouraged to ask for help if they are unsure what to do in any situation.

The REYS Federation has access to several agencies that can provide advice and support. As a team, the federation and Nursery schools can ensure the wellbeing, happiness and protection of its children.

External visitors

All external visitors are made aware of the Confidentiality Policy and work within its limits when interacting with pupils.

Healthcare professionals will work within their own codes of confidentiality when they deliver their services within the nurseries.

Informing parents and carers

REYS will work with parents and carers to create a partnership of trust. We endeavour to inform parents and carers of their child's progress at school and any concerns regarding progress and behaviour.

Where a child discusses a personal matter with staff, they will be encouraged to share the information with their parents, unless there is a child protection risk associated.

Where a member of staff believes a child protection risk is posed in regards to the family of the child, following a disclosure, the member of staff will talk to the Child Protection Co-ordinator and Local Safeguarding Officer immediately.

Data Protection Act

All staff working at the Nursery Schools should have regard for the Data Protection Act and ensure the laws are applied.

Freedom of Information (F.O.I.)

Under the F.O.I. Act certain information may be shared. This is only the case if this does not contravene the Data Protection Act.

Parent and carers contact details

These will be held in the setting and are NOT available for other parents' information.

Children's records

Children's records are occasionally taken home by staff members. They will ensure that these are kept confidential and in a secure location.

Monitoring and Evaluation

REYS has a duty of care and responsibility towards children, parents/carers, staff and governors. It also needs to work with a range of outside agencies and share information on a professional basis. The care and safety of the individual is the key issue behind this document. All parents /Carers are made aware of the nurseries Confidentiality Policy and informed that a copy can be viewed in the office or on the nursery website.

The policy will be reviewed as part of the schools' monitoring cycle.