

Appendix 1 - Confidentiality Procedures

Name of School	The Toynbee School
Date of Issue/Review	Spring 2022 / Spring 2024
Name of Responsible Manager/Headteacher	Deputy Headteacher
Governors' Sub-Committee	Welfare & Guidance

This document should be read alongside **Toynbee School Confidentiality Policy**

Definition of Confidentiality

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

Principles

Different levels of confidentiality are appropriate for different circumstances and the following procedures should be adhered to when a disclosure is made:

- 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 the **Designated Safeguarding Lead (DSL), Mr P Lawrence** 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
- Do not interrogate the child/adult or ask leading questions.
- Do 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.

In the classroom or 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 pupils that this is not the

time or place to disclose confidential, personal information. 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. We adopt ground rules to ensure a safe environment for teaching in particular in PSHE, Nurture groups, PDL sessions and small group sessions. This reduces anxiety to pupils and staff and minimises unconsidered, unintended personal disclosures.

At the beginning of each session, pupils are reminded of the ground rules by the teacher or outside visitor. The teacher establishes the ground rules together with the pupils at the beginning of each session.

This is an example of the ground rules for a Year 10 class:

- We won't ask each other or the teacher any personal questions
- We will respect each other and not laugh, tease or hurt others
- We won't say things we want to keep confidential
- We can pass or opt out of something if it makes us feel uncomfortable
- If we do find out things about other pupils, which are personal and private, we won't talk about it outside the lesson
- If we do find out things about other pupils, which are personal and private, we won't talk about it outside the lesson, but
- If we are worried about someone else's safety we tell a teacher

One to one disclosures to members of school staff (including voluntary staff and visitors):

It is essential all members of staff know the limits of the confidentiality they can offer to both pupils and parents/carers (see note below) and any required actions and sources of further support or help available both for the pupil or parent/carer and for the staff member 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. 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 must discuss this with the **Designated Safeguarding Lead (DSL)**, as soon as is practically 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 school's Child Protection and Safeguarding Policies.

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. At Toynbee School we offer pupils the support of a school counsellor *with appointments accessed discreetly through the*

Guidance Manager, and the school nursing service operate drop in service for pupils. These services are confidential between the counsellor or health professional and the individual pupil. No information is shared with school staff except as defined in the school's child protection policy, and guidance from the Hampshire Child Protection Committee and Child Protection law. This is essential to maintain the trust needed for these services to meet the needs of our pupils.

Contraceptive advice and pregnancy:

The DoH has issued guidance (July 2004) which clarifies and confirms that health professionals owe young people under 16 the same duty of care and confidentiality as older patients. It sets out principles of good practice in providing contraception and sexual health advice to under-16s. The duty of care and confidentiality applies to all under-16s. Whether a young person is competent to consent to treatment or is in serious danger is judged by the health professional on the circumstances of each individual case, not solely on the age of the patient. However, the younger the patient the greater the concern that they may be being abused or exploited. The Guidance makes it clear that health professionals must make time to explore whether there may be coercion or abuse. Cases of grave concern would be referred through child protection procedures. See Keeping Children Safe in Education, Government Guidance, September 2021. The Government Guidance, "Working Together to Safeguard Children" 2018.

Parents/carers:

Toynbee School 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. Where a pupil does discuss a difficult personal matter staff at Toynbee School, they will be encouraged to also discuss the matter with their parent or carer themselves.

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, seek consultation with the relevant multi-agency co-ordinators.

When confidentiality should be broken and procedures for doing this:

See the Child Protection and Safeguarding Policies for further guidance.

Where staff are still concerned and unsure of whether the information should be passed on or other action taken they should speak to Mr P Lawrence. (Designated Safeguarding Lead)

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

The principles we follow at Toynbee school are that in all cases we:

- Ensure the time and place are appropriate, 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.
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.
- Tell the child we cannot guarantee confidentiality if we think they will:
 - hurt themselves
 - hurt someone else
 - or they tell us that someone is hurting them or others
- Not interrogate the child or ask leading questions
- We won't put children in the position of having to repeat distressing matters to several people
- Inform the pupil first before any confidential information is shared, with the reasons for this
- Encourage the pupil, whenever possible to confide in his/her own parents/carers

Support for staff

Staff may have support needs themselves in dealing with some of the personal issues of our pupils. At Toynbee school we prefer you to ask for help rather than possibly making a poor decision because you don't have all the facts or the necessary training, or taking worries about pupils home with you. There are many agencies we can refer pupils to who need additional support which 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 Toynbee school is a happy and safe learning environment.

Toynbee teaching staff should discuss any concerns about pupils with the Designated Safeguarding Lead, Mr P Lawrence and Deputy Designated Safeguarding Leads, Mr Longden, Mrs Hill and Mrs Taylor. All staff receive training in child protection as part of their induction to this school and are expected to follow the schools' child protection and safeguarding policies and procedures.

Onward referral:

Designated Safeguarding Lead, Deputy Designated Safeguarding Leads, Guidance Managers and Progress Directors are responsible for referring pupils to counsellors and to outside agencies from the school. Please do not make referrals yourself unless you believe a child protection referral to the police or Childrens Services is necessary and the designated person does not agree. ('What to do if you're worried a child is being abused', DFE, March 2015).

Pupils can also obtain confidential help which can be accessed through External Agencies

Staff should consult DFE guidance Keeping Children Safe in Education, September 2020, for further information.

Dissemination and implementation:

The Policy and Practice Documents are available to all teaching and non-teaching staff, including volunteers. Child Protection and Safeguarding training is delivered annually where all staff received training on the content and practical applications of the policy.

All new staff, including volunteers, receive basic training on the school's Child Protection and Safeguarding Policies and procedures from the Designated Safeguarding Leads.

Review:

The Policy and Procedure documents are reviewed every 2 years or whenever deemed necessary by the Headteacher and Governors in the light of events and changes in the law.