



**The Kite
Academy
Trust**
Flying high
together

KITE ACADEMY TRUST

CONFIDENTIALITY POLICY & STATEMENT

P1087

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1 Introduction

All staff, external agencies/visitors working with children as part of the curriculum or the academy's pastoral support procedures, children and parents should be made aware of this policy. It is of particular importance to staff involved with personal, social, and health education (PSHE), including sex and relationships education (SRE) and drug education. It sets out guidelines for all staff about children's information that they can regard as confidential and that which they cannot. Any external agencies/visitors to the academy who are teaching or working with groups of children must also abide by this policy.

2 Information Sharing

Academies within the Kite Academy Trust share information with parents, carers and children, and also ensure that parents, carers and children know that can share information with us and be confident this information will only be used for the benefit of the child. Any information shared will always be respectful of the privacy of the children and their parents/carers.

3 Procedures for Confidentiality within the Academy

- Any information that a child discloses to a member of staff or visitor should not be passed on to other colleagues indiscriminately but should only be passed on a "need to know basis".
- Members of staff should not offer children or their parents, blanket or unconditional confidentiality.
- Any information concerning a child's behaviour or conduct that is likely to cause harm to themselves or to others should be passed on to the Academy Head Teacher and/or other agencies as determined by the Academy Head Teacher.
- This policy should be shared with every parent and child (at age appropriate level). It should be made clear when and with whom information will be shared.
- When embarking on a lesson, or a programme of lessons, that may well touch on sensitive and/or controversial issues, teachers should clarify with children the issue of confidentiality. An unrealistic confidentiality agreement should not be offered to children. Teaching staff should establish ground rules in order to avoid inappropriate questions and answers which may lead to personal disclosures.
- Teachers need to be aware that effective sex and relationships education, which brings an understanding of what is and is not acceptable in a relationship, can lead to disclosure of a child protection issue. If a personal disclosure is made, the member of staff should explain that such information can, and should, be kept confidential within the class, but that some information may need to be passed on to colleagues.
- Where a child discloses information about physical or sexual abuse, neglect or emotional abuse, the member of staff or visitor must follow the procedures outlined in the academy's Safeguarding & Child Protection Policy.
- If someone believes that a child may be suffering, or may be at risk of suffering, significant harm, then they should always refer their concerns to the Designated Safeguarding Lead (DSL) who will follow the procedures outlined in the academy's Safeguarding & Child Protection policy. The academy will generally seek to discuss any concerns with the family and, where possible, seek their agreement to making any referrals. However, this should only be done where such discussion and agreement-seeking will not place a child at increased risk of significant harm.

- If such disclosed information is to be passed on, the child should be told of this, know who the information will be passed on to and why and who else in the academy, or externally, will have access to the information. The child should also be reassured that they will be offered appropriate, ongoing support. However, if this will prejudice the welfare of the child, or hamper an investigation under Section 43 or 47 of the Children’s Act, further advice will be sought.
- In the case of illegal activity of a non-child protection nature, any action that the academy takes will always be in the best interests of the child. This does not mean that the police will be informed but the DSL will be made aware.
- Some external agencies may be working in the academy offering specific advice and support directly to individual children. If this is the case, their professional code of confidentiality must be shared with the academy and any deviation from the academy’s policy must be agreed formally with the academy and shared with the children concerned. Confidentiality must not be permitted where there are child protection concerns. Parents must also be informed that such agencies are working in the academy to support children on a range of issues.
- If such a visitor is working in the academy and following a different code of confidentiality in line with their professional protocols, members of staff may wish to refer children to them before they disclose information in order to maintain child confidentiality. Children and parents need to be aware of and understand any referral procedures related to this within the academy.
- Members of staff are not obliged to pass on information about children to their parents. However, it is only in the most exceptional circumstances that an academy would be in the position of having to handle information without parental knowledge. The reasons for not informing parents should be recorded in writing. If a teacher believes a child to be in moral or physical risk, or in breach of the law, they must ensure that the child is aware of the risks and encourage them to tell their parents and seek support from them. The Academy Head Teacher should always be informed before parents are contacted.
- All staff and volunteers are aware of their responsibilities under the Data Protection Act and General Data Protection Regulation (GDPR) 2018. Any sensitive personal information which falls under the category of **special category personal data**¹ is given special protection and must be held in the utmost confidence. Please also see the Kite Academy Trust’s Data Protection Policy and Freedom of Information Policy.
- All staff and volunteers are expected to sign a confidentiality statement.

4 Volunteers in the Academy

The Kite Academy Trust values the help of parents, students and others. Everything that volunteers see and hear (particularly in relation to children’s welfare or levels of work) must be held in confidence and not shared with others outside of the academy. If volunteers have any questions regarding anything they see or hear in academy, or they have concerns about the well-being of a child, they should speak to the class teacher or the Academy Head Teacher. Students taking part in recognised qualifications and training will be advised of our confidentiality policy & required to respect it.

¹ Special category personal data includes: race or ethnic origin; political opinions; religious or philosophical beliefs; trade union membership; physical or mental health; an individual’s sex life or sexual orientation; genetic or biometric data for the purpose of uniquely identifying a natural person. (Kite Academy Trust’s Data Protection (GDPR) & Freedom of Information Policy).

5 Record Keeping

Every child has a personal record with their contact details, SEND information, medical information and settling in information. These records are kept in a locked cabinet and are only accessible to the child's key person or class teacher.

Each child in the Foundation Stage has their own portfolio and Learning Journey. These contain samples of work and observations and are kept at the setting.

Staff records and details are kept locked in a secure office.

Staff are aware that when they are discussing a child, confidentiality should take priority. This will always be the case regardless of talking with parents or other staff in the setting.

6 Key Points

- Staff/volunteers will not discuss individual children, other than for the purposes of curriculum planning/group management, with people other than the parents, carers or key person of that child;
- Information given by parents/carers will not be passed on to other adults without permission;
- Issues to do with the employment of staff, whether paid or unpaid, will remain confidential to the people directly involved with making personnel decisions;
- The use of social network internet sites should not be used to discuss any academy issues

Links to Other Policies

This policy should be read in conjunction with the Safeguarding & Child Protection, Data Protection, Freedom of Information, Behaviour and Inclusion policies.

Document Management

Document ID:	P1087		
Last Review:	April 2023	Review Period:	3 years
Responsibility of:	Deputy CEO	Ratified by:	Trustees (24.05.23)



The Kite Academy Trust

Confidentiality Statement

Confidentiality, whether personal, financial or of any other category must be respected at all times.

Information on the personal history of all children will be kept securely. It will only be accessed when necessary and only then by authorised personnel, who will ensure that none of the information is revealed to any unauthorised third party.

To meet the needs of all the children in our care it is important to share information with parents and one another in order to support the child's development. It may also be necessary, in some circumstances, for the academy to seek help and advice from outside professionals. If this action is taken, the parents' permission will normally be obtained first.

All members of staff will agree to support and respect the Trust's Confidentiality Policy and will sign a statement to indicate their agreement.

Confidentiality Agreement

During the course of your work you will be privy to confidential information about staff members, children in our care and their families. You may need to discuss confidential issues with other staff members, or professionals from outside agencies, in order to effectively carry out your work. Any information and knowledge will be on a need to know basis and will be kept confidential.

At no time are you to disclose confidential information to any unauthorised third party, either verbally, by email or by the use of social/internet networks.

Failure to comply with the Confidentiality Policy and this statement will result in disciplinary action.

Signed: _____

Name: _____
(please print)

Date: _____