



Hart Hill Nursery School

# Confidentiality Policy

Updated Summer Term 2024

Ratified by SLT on 8/5/24.

Signed 

To be updated Summer Term 2027



## Rationale

Hart Hill Nursery School expects staff to take a supportive and accepting attitude towards pupils as part of their general responsibility for pastoral care. It is our hope that both children and parents feel free to discuss worries about Hart Hill Nursery School, and any concerns that may affect the educational progress of a child, with members of the staff team.

This policy will be abided by at all times by staff, volunteers, visitors, children and parents. In order to ensure the utmost level of safety for pupils, staff members at the school have a duty to act in accordance with this policy and not share information with external agencies, other schools or individuals, unless prior agreement is in place, or a safeguarding concern can be highlighted.

## Aims

Hart Hill Nursery School aims to

- Ensure that important information regarding the school and its members are not shared
- Guarantees that financial information stays confidential and secure
- Helps to build trust amongst staff, volunteers and external agencies
- Supports the school's safeguarding measures, in line with LA policies, procedures and share agreements

## Key terms and Expectations

For the purpose of this policy, 'confidentiality' is an understanding that any information shared with someone in trust will only be passed on to a third party with the prior and explicit agreement of the person disclosing it.

Within this policy, a 'disclosure' is the sharing of any private information; this term does not solely relate to child protection issues.

The term 'limited confidentiality' refers to the disclosure of information with professional colleagues; however, the confider would not be identified except in pre-determined circumstances.

## Roles and Responsibility

All staff members, volunteers and individuals working in co-operation with the school will uphold their responsibility and duty of confidentiality, ensuring that information and personal details are not shared or discussed with others, except for the appropriate necessary bodies. Visitors and other professionals, eg health professionals, will work within the same boundaries of confidentiality as all staff members.

Staff members and volunteers alike, have the responsibility of keeping information regarding the school, including its pupils and parents confidential. This information will under no circumstances be shared, unless it is in the best interest of the school or its pupils. All staff, volunteers, visitors and external parties will always seek advice from a member of the Senior Leadership Team if there is any doubt over sharing the information concerned.

All staff members, volunteers and external agencies/stakeholders will treat any information regarding the management and finance of the school as confidential, and therefore, this information will only be shared with necessary and appropriate external individuals.

## **Confidentiality and Child Protection**

The school aims to strike a balance between confidentiality and trust, ensuring the safety, wellbeing and protection of our pupils. Staff members, and volunteers alike, will pass on information if they believe a child is at risk of harm, otherwise, staff are not obliged to break confidentiality. In almost all cases of disclosure, limited confidentiality can be maintained.

Staff members and volunteers will use their professional judgement when considering whether to inform a child that a disclosure may be made in confidence, however staff must never promise to keep confidentiality of anything that is reported to them in confidence, as this cannot be guaranteed.

The Headteacher and Designated Safeguarding Lead Team are to all be informed of all incidents regarding child protection concerns which are highlighted by a volunteer, parent or another external party to the school. Staff members are contractually obliged to immediately inform the Designated Safeguarding Lead of any concerns regarding a pupil's safety or welfare, as clearly outlined in the school's Safeguarding Policy. The concerns must be raised, via the school's Cpoms system, with a verbal request to look at the system made over the walkie talkie system, where the concerns is of immediate worry, to ensure that any intervention necessary to protect the child is accessed as early as possible; this must be followed up with a full written report at the earliest convenience.

Staff members are not obliged to inform the police on most matters relating to illegal activity, such as illegal drugs or assaults. These will be assessed on a case-by-case basis with the support of the DSL and Headteacher.

## **Sharing Information**

The school takes the stance that all information about individual pupils is private and should only be shared with other professionals who have a legitimate need to know. The safety and protection of pupils, as well as the school, is the paramount consideration in all confidentiality decisions. All data will be processed and held in line with the school's Data Protection Policy (GDPR)

Under no circumstances will personal information about pupils, staff members or the school be passed on indiscriminately. Neither will information regarding the school's finances be shared with anyone, other than those with a legitimate need to know. The school will be open and honest with all individuals about how and why data is shared, unless it is unsafe to do so.

If members of staff, volunteers or co-operating external parties/stakeholders share unsuitable or misrepresented information, the school withholds the right to take the appropriate civil, legal or disciplinary action.

## **Breaking Confidentiality**

When confidentiality must be broken because a child may be at risk of harm, in accordance with the school's Safeguarding Policy, the school will ensure that children are informed that they cannot keep the information confidential and to alleviate their concerns accordingly.

If confidential information is shared with the explicit consent of the individuals involved, and they are informed of the purpose of sharing the information in question, there will be no breach of confidentiality or of the Human Rights Act 1998.

In the event that explicit consent for sharing confidential information is not gained, an individual will satisfy themselves that there are reasonable grounds to override the duty of confidentiality in these circumstances before sharing the data.

The school recognises that overriding public interest is a justifiable reason to disclose information, however permission from the Headteacher must be sought prior to disclosing any information regarding the school.

Staff should act in accordance with the school's whistleblowing policy at all times. Individuals who disclose information, after previously signing the school's Non-disclosure Confidentiality Agreement, may face further action, including possible legal action. 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.

### **Accessing Information**

In accordance with article 15 of the GDPR, personal information, such as educational records, can be shared via a subject access request. The school has a Subject Access Request Policy, which outlines the procedure in more detail.

In line with the Freedom of Information Act 2000, private data and public records can potentially be accessed through lodging a Freedom of Information request. The school has a Freedom of Information Policy, which outlines the procedure in more details.

### **Monitoring and Review**

This policy is monitored for effectiveness by the Headteacher and is reviewed as part of the three yearly policy review cycle. It will be changed earlier, in light of changes to the law or statutory guidance.