

includEd Learning
Independent Specialist Education Provider



CONFIDENTIALITY POLICY

→ Principles

IncludEd Learning respects everyone's right to privacy. All staff and volunteers are expected to work within the guidelines of this policy. Care and due consideration is taken over decisions to break confidentiality.

IncludEd Learning recognises that parents/carers have a right to know that information they share will be regarded as confidential. However, there are certain circumstances when we share information with parents/carers consent and there are also circumstances when we are obliged to share information without parental consent. This policy details both sets of circumstances and should be read in conjunction with our Safeguarding and Children Protection Policy.

Students can often present with a variety of complex difficulties and problems. Many of these are of a confidential nature. The aim of a Confidentiality Policy is to provide staff with a framework of confidentiality guidelines within which they can work when presented with difficult situations.

→ Purpose of a Confidentiality Policy

All schools are, on occasions, asked to keep information confidential. This can relate to a variety of issues such as underage sexual activity, abuse, drug use or other dangerous or illegal activities. The policy sets out guidance for all staff about student information that they can regard as confidential and that which they cannot.

It is important that the whole of the school follows the same clear and explicit guidelines. The policy acts in conjunction with existing whole school policies such as Safeguarding and Child Protection, Sex Education and Drugs Education.

All members of IncludEd Learning staff, along with external agencies working with us are bound by the Confidentiality Policy. All Staff must be aware of the policy and understand their role within it. Staff and students are consulted on the development/renewal of the confidentiality policy. In addition students and parents/carers are to be made aware of the confidentiality policy and what it means to them.

→ Confidentiality Policy

Any information that a student discloses to a member of staff or visitor should not be passed on to other colleagues indiscriminately but should only be discussed on a “need to know basis”.

Members of staff should not offer students, or their parents/carers, blanket or unconditional confidentiality.

Any information concerning a student’s behaviour or conduct that is likely to cause harm to themselves or to others should be passed on to the Head or Designated Safeguarding Lead.

Every parent/carer and student will be informed of the confidentiality policy and it should be made clear when and with whom information will be shared.

Students should be informed and reminded about the confidentiality policy at appropriate times throughout their time at IncludEd Learning.

When embarking on a lesson, or a programme of lessons, that may well touch on sensitive and/or controversial issues tutors should clarify with students the issue of confidentiality. An unrealistic confidentiality agreement should not be offered to students. The classroom is a public place and confidentiality cannot be offered. However, tutors should establish ground rules with their teaching groups in order to avoid inappropriate questions and answers in class or in group sessions which may lead to personal disclosures.

Tutors need to be 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. If a personal disclosure is made, a tutor should explain that such information can, and should, be kept confidential within the classroom but that some information may need to be passed on to the Designated Safeguarding Lead, if it is in the best interests of a student to do so.

Where a student discloses information about physical or sexual abuse, neglect or emotional abuse, the member of staff or visitor must pass this information on to one of the Designated Safeguarding Leads.

If such disclosed information is to be passed on the student should be told of this, and that the information will be passed on to the Designated Safeguarding Lead and why this action has been taken. The student should also be reassured that they will be offered appropriate, ongoing support.

There may be occasions where a child's right to privacy may be outweighed by our duty to report illegal activity to the police. For example, if a student is found in possession of an illegal substance we are legally bound to hand the substance to the police. The first point of contact in this case will be the Head of Centre. Refer to the school's Drug Policy for further information.

Some external agencies may be working in IncludEd Learning offering specific advice and support directly to individual students. If this is the case their professional code of confidentiality must be shared and any deviation from the IncludEd Learning's policy must be agreed formally with us and shared with the students concerned. Confidentiality must not be permitted where there are child protection concerns. Parents/carers must also be informed that such agencies are working with IncludEd Learning, or using the premises to make contact with students. Parents/carers should know when these external agencies are providing students with an additional service that is not part of the curriculum or its extra-curricular activities and that they will not be bound by the confidentiality policy but by their own professional codes on confidentiality.

If such a visitor, from an external agency, is working at IncludEd Learning and following a different code of confidentiality in line with their professional protocols, members of staff may wish to refer students to them before they disclose information in order to maintain student confidentiality. Students and parents/carers need to be aware of and understand any referral procedures related to this within IncludEd Learning.

Members of staff are not obliged to pass on information about students to their parents/carers. However, it is only in the most exceptional circumstances that IncludEd Learning would be in the position of having to handle information without parental knowledge. The reasons for not informing the parents/carers should be recorded in writing. If a tutor believes a student to be in moral or physical risk, or in breach of the law, they must ensure that the student is aware of the risks and encourage her/him to tell her/his parents/carers and seek support from them. The Head of Centre should always be informed before parents/carers are contacted. See the Safeguarding and Child Protection Policy for further clarification.

Students should also be informed about where they might seek confidential help *e.g. the school nurse, other local advice and support services, their GP.*

IncludEd Learning reserves the right to examine students' ICT accounts and/or confiscate electronic items if it is believed the contents may be harmful to themselves or others.

In the case of student disclosures related to drugs, staff must refer to the Safeguarding and Child Protection Policy or Drugs policy.