CONFIDENTIALITY POLICY

Handling information with care, clarity and respect

ORGANISATION	SKAPE North East Ltd	POLICY REFERENCE	P05
UPDATED	09 November 2026	NEXT SCHEDULED REVIEW	09 November 2027
POLICY OWNER	Centre Manager	RELATED POLICIES	Safeguarding; GDPR; Staff Code of Conduct,

01 INTRODUCTION

This policy sets out SKAPE's approach to handling confidential information, maintaining professional boundaries and sharing information appropriately to safeguard and support children.

02 SCOPE OF POLICY

The policy applies to all staff employed by SKAPE, volunteers and other adults working on behalf of SKAPE. It also sets out how confidential information will be shared with commissioning schools, parents/carers and other professionals where appropriate.

03 AIMS AND OBJECTIVES

- To ensure that children are protected at all times.
- To provide clear, unambiguous guidance to all staff as to their professional roles.
- To ensure good practice throughout SKAPE which is clearly understood by students, parents/carers, commissioning school staff and SKAPE staff.
- To foster an ethos of trust, respect and equality within SKAPE.
- To ensure that SKAPE staff, commissioning school staff, parents/carers and students are aware of SKAPE's responsibility on confidentiality.
- To provide consistent messages at SKAPE about handling information about children once it has been received.
- To encourage children to talk to their parents/carers, commissioning school and SKAPE staff.
- To ensure that students and parents/carers know that SKAPE staff cannot offer unconditional confidentiality.
- To ensure that if there are safeguarding or child protection concerns, the correct procedures are followed.

04 POLICY GUIDANCE

SKAPE prides itself on effective communication and close relationships with commissioning school staff, parents/carers and students. SKAPE staff are always available to talk to staff, children and parents/carers about issues causing them concern and may, in some cases, support children in talking to their parents/carers. Staff should adhere to the following guidance:

- When talking with students it is important to be aware of the maintenance of professional boundaries.
- Staff must make it clear to children that they cannot offer unconditional confidentiality when they first begin to talk about something sensitive or an issue concerning their welfare.
- If information shared by a student raises a safeguarding or welfare concern about them or another person, staff must report this immediately to SKAPE's Designated Safeguarding Lead (DSL) or deputy DSL.
- SKAPE's DSL/deputy DSL will also inform the DSL at the student's commissioning school, or the designated safeguarding contact where a local authority commissions the placement, at the earliest appropriate opportunity. Staff will follow SKAPE's Safeguarding Policy alongside the commissioner's relevant safeguarding policy and agreed placement procedures. The commissioning school retains its overarching safeguarding responsibility,

without replacing SKAPE's responsibility for students in its care. If immediate action is needed to protect a child, SKAPE will act without waiting for contact with the commissioner.

- Information should only be shared with those people who need to know in order to safeguard and support the child.
- Where appropriate and safe to do so, the student should be told what information needs to be shared, who it will be shared with and why. There may be occasions where information needs to be shared without the student's or parent/carer's agreement in order to safeguard the student or another person.
- If a student talks about possible illegal activity, staff should discuss this with the DSL/deputy DSL where appropriate. Decisions about sharing information will take account of safeguarding, welfare and any legal responsibilities.
- All information about individual children should be considered private and should only be shared with those who have a need to know.
- All social, medical, safeguarding and personal information held by SKAPE should be kept securely so that it cannot be accessed by unauthorised people.
- Information should normally only be used for the purpose for which it was collected. Where information needs to be used or shared for another reason, staff should ensure that there is a clear and appropriate reason for doing so.
- Where safeguarding information is shared, staff should make an appropriate record of the concern, what information was shared, who it was shared with and any action taken.
- If staff are unsure whether information should be shared, they should speak to the DSL/deputy DSL. This should not delay action where a child may be at risk.

05 ACCESS TO RECORDS

Requests to see information held by SKAPE will be dealt with in line with data protection requirements and the GDPR Policy. Staff must pass requests promptly to the data protection lead; a request does not need to use the words "subject access request". Individuals' rights to access their own personal data are distinct from routine information sharing. A parent or carer does not automatically have unrestricted access to a student's personal information. Requests made by or on behalf of a student will take account of their competence and understanding, wishes, the requester's authority and applicable legal requirements and exemptions. Information about other people will be protected as required by law.

06 CONFIDENTIALITY AND INFORMATION ABOUT FAMILIES CARERS AND PARENTS

SKAPE recognises that sometimes there may be family issues which might affect a student and which the family may only disclose if they can be sure the information will be treated confidentially. SKAPE staff will respect the wishes of the family wherever possible. Where information needs to be shared to safeguard a child or another person, or for another clear legal reason, this will normally be discussed with the parent/carer first unless doing so could place someone at greater risk or affect a safeguarding investigation.

07 INFORMATION ABOUT STAFF

All staff can normally expect that their personal situations and health will remain confidential. Information may need to be shared in circumstances including the following, subject to the safeguards below:

- It affects their contract terms or ability to carry out their role safely.
- It may place students or other members of staff at risk.
- There is a legal obligation to disclose information.
- It is necessary for disclosure in legal proceedings.
- There is another clear and lawful reason why the information needs to be shared.

These circumstances do not automatically authorise disclosure. Staff information will only be shared where necessary, proportionate and lawful, with access limited to those who genuinely need it for their role. Health information requires an appropriate lawful basis and an additional condition for special category data. SKAPE will

also respect any applicable duty of confidence and explain the use or sharing of staff information through appropriate privacy information, subject to lawful exceptions.

Nothing in this policy prevents a lawful protected disclosure under whistleblowing law, reporting a crime, obtaining professional legal or trade union advice, or protected discussions about pay for the purpose of identifying possible pay discrimination. Staff may use the Whistleblowing Policy or an appropriate lawful external reporting route without first exhausting the Complaints Policy. Confidentiality will be protected as far as reasonably possible, but absolute secrecy or anonymity cannot be guaranteed where disclosure is necessary for a lawful and fair response.

08 DATA PROTECTION AND INFORMATION SHARING

SKAPE will handle personal information in line with the UK GDPR and Data Protection Act 2018, as amended, including relevant changes made by the Data (Use and Access) Act 2025, and its GDPR Policy. Information sharing must have an appropriate lawful basis and be necessary and proportionate; sensitive information requires the additional safeguards set out in the GDPR Policy. Consent is not always required for safeguarding sharing and must not become a barrier to protecting a child. Staff must follow SKAPE's Safeguarding Policy and current statutory information-sharing guidance.

Confidential information must be retained and securely disposed of under the GDPR Policy and agreed retention arrangements. Staff must report actual or suspected data breaches immediately to the data protection lead, and to the DSL where safeguarding information is involved, so that risk and any required notifications can be assessed promptly.

09 RELATED POLICIES AND REVIEW

Read alongside SKAPE's Safeguarding Policy, GDPR Policy, Employee Code of Conduct, Online Safety Policy, Complaints Policy and Whistleblowing Policy. General complaints follow the Complaints Policy; requests to exercise data rights and data-protection complaints follow the GDPR Policy and must not be restricted by the general complaints process. Staff safeguarding concerns follow the appropriate safeguarding or allegations procedure. Confidentiality does not prevent these matters being raised, and information will be shared only as lawfully necessary to address them.

This policy reflects the relevant principles in Keeping Children Safe in Education 2026 and Information sharing to safeguard children and young people (September 2026). SKAPE will meet any applicable information-sharing duties under section 16LA of the Children Act 2004 and follow the relevant local arrangements. The Centre Manager will review this policy annually, or sooner following relevant changes.

Guidance: www.gov.uk/government/publications/information-sharing-to-safeguard-children-and-young-people; www.gov.uk/government/publications/keeping-children-safe-in-education--2. ICO guidance on employment information and access rights, and Acas guidance on confidentiality, also inform this policy.

10 DOCUMENT REVISION HISTORY

DATE	CHANGE	APPROVAL	REV.
31/03/2023	Initial policy	—	01
31/03/2024	Policy review	—	02
29/03/2025	Policy review	—	03
03/03/2026	Policy review	—	04
03/09/2026	Policy review — updated guidance	—	05
09/11/2026	SKAPE rebranding and format standardised; core wording retained with targeted updates to safeguarding and commissioner liaison, staff confidentiality, protected disclosures, access rights and GDPR procedures.	For approval	06