



CONFIDENTIALITY POLICY

Legal Requirements

Human Rights Act 1998

Gives everyone the right to “respect for his private and family life, his home and his correspondence”, unless this is overridden: by the service users interest, for reasons of child protection, for the protection of public safety, pupil order, health or morals or for the rights and freedoms of others.

Data Protection Act 1998

Applies to personal data of living, identified viable individuals, not anonymised data, manual and electronic records.

Freedom of Information Act 2000

Amends the Data Protection Act. Gives everyone the right to request any records a public body holds about them. Pendynas Care & Education Services may withhold information it has if it is considered the information may damage the recipient, if disclosed. Pendynas Care & Education Services data or record keeping policy should also cover the requirements of his act.

Children’s Act 2004

The Children’s Act, 2004, sets out the following objectives:

- Children and Young People are mentally and emotionally healthy
- Children and Young People are sexually healthy
- Children and Young People choose not to take illegal drugs
- Children and Young People are safe from maltreatment, neglect, violence and sexual exploitation
- Children and Young People have security, stability and be cared for

Aims of the Confidentiality Policy

- To provide clear guidance to all members of Pendynas Care & Education Services community around confidentiality.
- To encourage children to talk to a trusted adult if they are having problems.
- To ensure all adults deal confidently with sensitive issues.

This Confidentiality Policy impacts upon every other Pendynas Care & Education Services policy.

Moral and Values Framework

The moral and values framework within which confidentiality is addressed should be consistent with the overarching aims of Pendynas Care & Education Services and should be easily translated into practice in terms of:

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- Tutoring subject content
- Tutoring methods
- The relationships within Pendynas Care & Education Services

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Equal Opportunities Statement

Pendynas Care & Education Services is committed towards equal opportunities in all aspects of academy life.

Specific Issues

All adults working in Pendynas Care & education Services

- Implement the Child Protection Policy.
- Encourage children to be open with their parents/carers.
- Must maintain professional standards of confidentiality about anything seen or heard within the academy.
- Who has a concern about a child, but does not feel they know the child's circumstances well enough to make a judgement about procedure, that adult should discuss their concerns with the child's class teacher who will have greater knowledge of the child, at an appropriate place and time.
- Should adhere to and enforce the Pendynas Care & Education Services procedures for the taking of and use of photographs and video recording
- No child's personal details will be given out over the telephone until the validity of the request has been ascertained via a returned call.
- Unconditional confidentiality should never be given.
- If an adult receives external information that leads them to believe there is a child protection issue, they could refer the information to the Designated Lead Officer for Safeguarding
- Adults should be sensitive when discussing an individual child's behaviour in the presence of another child.
- No adult should enter into detailed discussion about a child's behaviour or academic progress with other children or their parents.
- All staff need to be reassured that there is someone to whom they can speak in confidence and that only with their consent can information be shared with another person
- Staff should not discuss confidential issues about fellow colleagues whether related to personal or work issues
- Staff files should be kept securely

Directors' Meetings

- Directors, in particular those sitting on discipline committees, will not divulge details about individuals (be they staff, families or individual children) to any person outside of the meeting.
- Directors need to be mindful that from time to time issues are discussed or brought to their attention about staff and children. Directors must observe complete confidentiality when asked to do so by the governing body, especially in relation to matters concerning individual staff, children or parents/carers. Although decisions reached at Directors' meetings are normally made public through the minutes or otherwise, the discussions on which decisions are based should be confidential.

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Information held about children

- Information about children will be shared with parents/carers but only about their child. However, parents/carers should be aware that information about their child will be shared with their current school in line with their PEP and, if and when they change school.
- All personal information about children including social services records are regarded as confidential. The Directors' will decide who will have access, and whether those concerned have access to all, or only selected information.
- Information regarding health reports such as speech therapy, medical reports, SEN reports, SEN minutes of meetings, Social Care and Health Services will be kept securely.

1:1 Tutoring / Group work & Offsite Activities

- Ground rules and distancing techniques will be used where sensitive issues are to be addressed e.g. drugs education, sex and relationships education.
- All adults should not put pressure on children to disclose personal information and should discourage from applying any such pressure.
- All adults will remind children that some information they share may need to be shared with other adults for their protection.
- Children will be reassured that, if information has to be shared, they will be informed first and then supported appropriately.
- If a child and his/her parent/carer wish to highlight an issue to a peer group then this will be carried out sensitively by their key worker/Social Worker/ a Director of Pendynas Care & Education Services e.g. bereavement.

Dissemination of the Policy

All staff members, directors and adults working in Pendynas Care & Education Services (including voluntary helpers) will receive a copy of this Policy. Several copies are available to view at the office upon request. A copy of the Policy is also available on the web site.

Monitoring and review

The DSLs will monitor the effectiveness of the Policy throughout the year.

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