

# **Knowsley Junior School**

## **Data Protection and Confidentiality Policy**

### **Aim**

To protect the child at all times and to give all staff involved clear, unambiguous guidance as to their legal and professional roles and to ensure good practice throughout the school which is understood by pupils, parents/carers and staff.

### **Rationale**

Knowsley Junior School seeks to put the child at the heart of the learning process and to provide a safe and secure learning environment for all our pupils. It seeks to implement the underlying principles of the Every Child Matters Agenda and to address the issues, which may arise about confidentiality. It is committed to developing creative and positive ways for the child's voice to be heard whilst recognising the responsibility to use, hold and safeguard information received. Sharing information unnecessarily is an erosion of trust. We are mindful that our school is placed in a position of trust by all stakeholders and there is a general expectation that a professional approach will be used in all matters of confidentiality.

Knowsley Junior School complies with the requirements of the Data Protection Act 1998. Our procedures ensure that all who have access to any 'personal data' or 'sensitive personal data' held by or on behalf of the school comply with their duties and responsibilities under the Act. To carry out our responsibilities, we must collect and use information and it is also required by law to collect and use information in order to comply with the statutory requirements. Where requests for information are made, we will meet our duties under the requirements of the Freedom of information Act.

### **Objectives:**

- To provide consistent messages in school about handling information about children once it has been received
- To foster an ethos of trust within the school
- To ensure that staff, parents and pupils are aware of the school's confidentiality policy and procedures
- To reassure pupils that their best interests will be maintained
- To encourage children to talk to their parents and carers
- To ensure that pupils and parents/carers know that school staff cannot offer unconditional confidentiality
- To ensure that there is equality of provision and access for all including rigorous monitoring of cultural, gender and special educational needs
- To ensure that if there are child protection issues then the correct procedure is followed
- To ensure that confidentiality is a whole school issue and that in lessons ground rules are set for the protection of all
- To understand that health professionals are bound by a different code of conduct
- To ensure that parents have a right of access to any records the school may hold on their child but not to any other child for whom they do not have parental responsibility
- To ensure that the collection of data and formation will comply with the requirements of the DfE

- To ensure that all information will be handled and dealt with properly and lawfully in line with the eight principles set out in the Data Protection Act 1998
- To ensure that staff responsible for the safe keeping of data will be trained in their duties and responsibilities
- To ensure that all staff carry put their duties under the Data Protection Act 1998 effectively and efficiently
- To ensure that the school complies with the requirements of the Freedom of Information Act

### **Data Protection**

- The headteacher, Miss Payne, will take specific responsibility for data protection
- Data will be collected and processed fairly and lawfully
- Data will be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes
- Data will be adequate, relevant and not excessive in relation to the purpose or purposes for which it is processed
- Data will be kept up to date
- Data will not be kept for longer than is necessary for that purpose or those purposes
- Data will be used in accordance with the rights of data subjects under the Data Protection Act 1998
- Data will be kept secure and held centrally in school
- Data will be treated as confidential by all members of staff and any 'personal data' or 'sensitive personal data' known to staff **MUST NOT** be shared with others without the headteacher's permission
- Data collected by school will not be transferred to disk, memory stick, personal computer or any other device without the headteacher's permission
- Data collected and/or held by school will not be transmitted electronically to any destination without the permission of the headteacher.
- Data will not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection
- The headteacher will deal with any request for information in accordance with the requirements of the Freedom of Information Act

### **Confidentiality**

- All information about individual children is private and should only be shared with those staff that have a need to know.
- All social services, medical and personal information about a child should be held in a safe and secure place which cannot be accessed by individuals other than school staff.
- We actively promote a positive ethos and respect for the individual:
  - a) We have a member of staff, Mrs Turner, who is the appointed member of staff for child protection and she receives regular training
  - b) There is clear guidance for the handling of child protection incidents. All staff are aware of the procedures should they have any child protection concerns
  - c) There is clear guidance for procedures if a member of staff is accused of abuse
  - d) Staff are 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
  - e) Staff are aware of the need to handle all issues about different types of families in a sensitive manner

- f) Any intolerance about gender, faith, race, culture or sexuality is unacceptable and should follow the schools discipline policy
- g) Information collected for one purpose should not be used for another

- Parents/carers and children need to be aware that the school cannot guarantee total confidentiality and the school has a duty to report child protection issues.
- Our school prides itself on good communication with parents and carers and staff are always available to talk to both children and parents/carers about issues that are causing concern. We encourage children to talk to parents/carers about issues causing them concern and may in some cases support the children to talk to their parents. We would share with parents any child protection disclosure before going on to inform the correct authorities, unless the concerns centre on suspected sexual abuse.
- Parents/carers and children should feel reassured that in exceptional circumstances confidentiality will be broken.
- All children have a right to the same level of confidentiality irrespective of gender, race, religion, medical concerns and special educational needs. A lot of data is generated in schools by these categories but individual children should not be able to be identified.
- Confidentiality is a whole school issue. Clear ground rules must be set for any classroom work such as circle time and other SMSC session dealing with sensitive issues such as sex and relationship and drugs. Strategies are in place and all children are aware of them for dealing with sensitive information which may fall outside the boundaries of child protection procedures. School needs to be proactive so children feel supported but information is not unnecessarily revealed in a public arena. Even when sensitive information appears to be widely known it should not be assumed by those immediately involved that it is appropriate to discuss or share this information further.
- Health professionals have their own code of practice dealing with confidentiality. Staff should be aware of children with medical needs and the class information sheet should be accessible to staff who need that information but not on general view to other parents/carers and children.
- Photographs of children should not be used without parents/carers permission especially in the press and internet. We give clear guidance to parents about the use of cameras and videos during public school events.
- Information about children will be shared with parents but only about their child. Parents should not have access to any other child's books, marks and progress grades at any time. However parents should be aware that information about their child will be shared with the receiving school when they change school.
- All personal information about children including social services records are regarded as confidential. This should be clearly understood by those who have access to it, and agreed whether those concerned have access to all, or only some of the information.
- Information regarding health reports such as speech therapy, medical reports, SEN reports, SEN minutes of meetings and social services minutes of meetings and reports will be circulated ( to the relevant staff members) in envelopes and once read should be returned for secure filing.
- Logs of administration of medication to children are kept securely in the medical room along with some children's own individual medical logs.
- In all other notes, briefing sheets etc a child should not be able to be identified. Addresses and telephone numbers of parents and children will not be passed on except in exceptional circumstances or to a receiving school.

- Governors need to be mindful that from time to time issues are discussed or brought to their attention about staff and children. All such papers should be confidential and should be copied onto different coloured paper. Governors must observe complete confidentiality when asked to do so by the governing body especially in relation to matters concerning individual staff, pupils or parents. Although decisions reached at governors' meetings are normally made public through the minutes or otherwise, the discussions on which decisions are based should be regarded as confidential. Governors should exercise the highest degree of prudence when discussion of potentially contentious issues arises outside the governing body.

### **Monitoring and Evaluation**

- The policy will be reviewed as part of the schools monitoring cycle.
- The SMSC scheme of work, Sex and Relationship policy and Drug Policy will enable identified opportunities to deliver aspects of this policy in specified year groups.
- The Head teacher, Miss Payne, has responsibility for monitoring this policy. Following any curriculum monitoring a positional statement is written which contributes to the School Development Plan.

### **Conclusion**

Knowsley Junior School has a duty of care and responsibility towards pupils, parents/carers and staff. It also needs to work with a range of outside agencies and share information on a professional basis. The care and safety of the individual is the key issue behind this document. School practices and procedures will meet fully the requirements of the Data Protection Act 1998 and the Freedom of Information Act. All data collected and held by the school will be kept safe.

**Signed Chair of Governors .....**

**Reviewed:**

**Review Date:**