

Libra School

Confidentiality, Dignity and Privacy Policy

Date	Review Date	Coordinator	Director
20.05.17	20.05.18	Kirsty Crosby	Joan Wilkes

The following are very important telephone numbers that must be kept up to date at all times:

Safeguarding Contacts	Home	Mobile
Designated Safeguarding Lead	01643 702468	07854 865914
Deputy Designated Safeguarding Lead	01643 707666	07966 031357
Nominated Director for Safeguarding	01643 863099	07725 628824
DEVON Multi Agency Safeguarding Hub	0345 1551071 / 01392 384964 / 0845 6000388 mashsecure@devon.gcsx.gov.uk	
SOMERSET LADO	0300 12312224 / 01458 253241 / 0300 1232327 childrens@somerset.gov.uk	
Police	101 / or if an emergency 999	
NSPCC Whistle-blowing Helpline	0808 800 5000	help@nspcc.org.uk

We believe this policy should be a working document that is fit for purpose, represents the company ethos, enables consistency and quality across the school and is related to the following legislation:

- Children Act 1989
- Police Act 1997
- Police Act 1997 (Criminal Records) Regulations 2002
- Education Act 2002
- Children Act 2004
- Safeguarding Vulnerable Groups Act 2006
- Education and Inspections Act 2006
- Children and Young Persons Act 2008
- Police Act 1997 (Criminal Records) (No. 2) Regulations 2009
- School Staffing (England) Regulations 2009
- Equality Act 2010
- Education Act 2011
- Protection of Freedoms Act 2012

The following documentation is also related to this policy:

- Dealing with Allegations of Abuse against Teachers and other Staff: Guidance for Local Authorities, Headteachers, School Staff, Governing Bodies and Proprietors of Independent Schools (DfE)
- Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE), Sept 2016
- Working Together to Safeguard Children: A Guide to Inter-agency Working to Safeguard and Promote the Welfare of Children

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We believe confidentiality is when someone during a private conversation entrusts another with their secrets and with the confider expecting absolute confidentiality from the confidante.

We feel we can only offer limited and not absolute confidentiality within the company as the safety, well-being and protection of the children we work with are the main consideration in all decisions company personnel make.

We stress that all personnel must make it clear when in discussion with pupils or parents/carers that there are limits to confidentiality that can be offered, so that they can make informed decisions about the most appropriate person/s to talk to about the personal matters that have been disclosed.

We believe we have created a safe and supportive environment which encourages pupils to talk to staff in order to share their problems. Trust between pupils and staff is an established part of the company ethos.

We acknowledge that a transparent confidentiality policy will ensure the health, safety and wellbeing of all pupils within the company.

We wish to work closely with the School Council and to hear their views and opinions as we acknowledge and support Article 12 of the United Nations Convention on the Rights of the Child that children should be encouraged to form and to express their views.

We as a community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that is connected with this policy.

Aims

The aim of the policy is to provide Libra staff with guidance and expected standards of practice in the promotion of confidentiality, dignity and privacy. Libra is committed to providing high quality care and education to the children placed with us. Responsibility for protecting children and staff confidentiality, dignity and privacy does not lie with one individual or group but with all Libra staff at every level.

Confidentiality

Confidentiality is a fundamental part of professional practice that protects human rights. This is identified in Article 8 (Right to respect for private and family life) of the European Convention of Human Rights which states: Everyone has the right to respect for his private and family life, his home and his correspondence.

We feel we can only offer limited and not absolute confidentiality within the company as the safety, well-being and protection of our children are the main consideration in all decisions staff make.

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We expect all staff to respect confidentiality and not discuss the children at any time outside of work or communicate about the company, its employees or the children on social networking websites or exchanges.

Dignity

We believe dignity is about:

- Enabling children to make choices about the way they live and the care they receive.
- Speaking to children respectfully and listening to what they have to say.
- Providing a choice of nutritious, appetising meals, that meet the needs and choices of children.
- Enabling children to maintain a good standard of personal hygiene.
- Enabling children to maintain and or develop appropriate independence.
- Respecting children's personal space, privacy in personal care and confidentiality of personal information.
- Supporting children to keep in contact with family and friends in line with Local Authority care planning, and to participate in social activities.

Privacy

Libra takes the privacy of its children and staff seriously and information will be used in accordance with the Data Protection Act 1998.

We wish to work closely with the School Council and to hear their views and opinions as we acknowledge and support Article 12 of the United Nations Convention on the Rights of the Child that children should be encouraged to form and to express their views.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

All Children

- Case records of each child are only allowed to be accessed by those with authority to do so. Such access authorisation is laid down under strict procedures.
- Children are actively encouraged and supported to be involved in the decisions that affect them.
- No information about children or their day to day activities or behaviours should be disclosed to un-authorized persons or outside of the LIBRA School unless permission has been sought from the Director of Care or the Head Teacher. This is a disciplinary offence.
- There are procedures laid down to govern the protocol of speaking with local authorities, placement officers, children's families and friends and others. These must be adhered to. Such protocols allow for communication with independent visitors, inspectors, the police, youth justice officers and safeguarding procedures.
- Staff know how to deal with and share information that they are given in confidence for safeguarding purposes and disclosure of illegal activities such as sexual exploitation, trafficking and risky behaviour, and will receive training, constantly reinforced, in such matters.
- Staff know how to deal with disclosures and allegations made against members of staff, or if they have their own suspicions that they wish to report.

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- Staff are trained to deal with complaints, including those made by children, and there are procedures laid down for this.
- Discussion of the case records of one child (or any private or confidential matter) with another is strictly forbidden, and is a disciplinary offence.
- Staff are given training in being sensitive to a variety of issues that might affect the young people in their care. This is to include: cultural difference, religious belief or gender specific difficulties for example.
- Staff are not permitted to discuss personal and intimate details of their own lives or those of other staff with children.
- Children's records are kept and stored in a manner that renders them secure and therefore confidential and this also applies to children who have left the LIBRA School.
- Children should have the opportunity to discuss any concerns or proposals they have without having an excessive adult audience; this can be achieved through the student council, with a selected adult taking minutes. Children should NOT be promised complete confidentiality if a serious issue (one that has an impact on child wellbeing or safety) is raised.
- The use of mobile phones and other electronic devices that can access the internet by children at Libra is limited and controlled but not allowed on school premises without clear authority by the Head Teacher. If there are special circumstances however, permission from the Headteacher must be given and the phone be kept securely in the school office over the school day. There are reasons to believe that a mobile phone could jeopardise the privacy, dignity and confidentiality of both children and staff if used inappropriately.
- Due to the rise in popularity of social media, children should be advised on safe information sharing online and recognise the difference between personal information and what is acceptable to be shared publically. Any attempt from children to share information that is compromising to the safety and wellbeing of any child at the school will be treated very seriously.

Residential Children

- There are procedures in place for the maintenance of privacy with regard to the children's rooms. Guidelines are established giving practical details about the way children's rooms are entered and entry/interruptions without permission in emergencies, or where children are considered at risk.
- There are procedures giving guidance about the search of a child's room or possessions, and detailing requirements for the signed records of searches made.
- Staff must work according to the agreements made under the child's individual placement/care/education plan with regard to use of the phone and privacy to use the phone. This also includes allowing private access to permitted contacts, childline and Ofsted.
- The children who live in Libra Residential Homes should not be distinguished at any time by their placement. Therefore homes, and home vehicles remain unmarked and staff or others must not identify the children as being in care.
- Staff receive induction training and child safeguarding training and there are procedures for privacy and confidentiality regarding showering, bathing and toilet arrangements; for personal hygiene needs and for any intimate personal care that may be required. These are contained with the child's Placement Plan.

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Staff

Libra Staff:

- Should feel confident in how they work with children; being adequately informed by those in the proper authority on the circumstances surrounding a particular child. Staff should also feel included in any information sharing regarding a child in their care; using the information appropriately to guide their future practice.
- Have a right to request training that they feel is appropriate or could be useful in their job role, this is subject to financial arrangements and the signing of a staff training agreement.
- Staff should feel able to liaise with a designated member of staff about their role and seek guidance when in doubt about how to approach a situation they are experiencing difficulty with.
- Should have the opportunity to meet on a regular basis within a team to share concerns and explain the emotional impact of school related incidents. Such concerns should be treated seriously and be talked about so that lessons can be learned.
- Libra understands that there are times where staff will encounter personal problems that have the potential to impact on their job performance. In such instances, staff are encouraged to try and share their problems with senior members of staff and work towards an appropriate resolution. Staff have a right to expect that their disclosure be treated respectfully and not be in fear of persecution as a result.
- Should at all times observe respect for the privacy and confidentiality of others. Failure to do so will be dealt with under the staff disciplinary process.
- Should never discuss with children their intimate details of their own personal lives or those of other staff.
- Should never pass personal comment about other staff to the children or make such comment in the hearing of children
- Should remain professional at all times and any dispute with other members of staff should be addressed through the procedures laid down to deal with such disputes.
- Should address dissatisfaction with their work or the attitude of another through set procedures and protocols involving line management.
- Should be vigilant in ensuring that any mobile phones / digital technology they bring on site with them are kept away from children and stored securely out of sight. It is highly inappropriate for mobile phones to interfere with the learning of any of the children or invade the professionalism of the school. Staff should not use mobile phones during lessons.
- Should not share confidential information regarding Libra, its policies or employment practices either online or through social media. This is a disciplinary offence.

Responsibility for the Policy and Procedure

Role of the Directors:

The Directors will ensure that the Headteacher communicates this policy to all staff, children, parents/carers, outside agencies and visitors by:

- appointed members of personnel to be the Designated Safeguarding Lead and the Deputy Designated Safeguarding Lead;
- organising in-house training for staff on Child Protection and Safeguarding;
- including the policy in the staff handbook;
- including the policy on the school website;

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- including the policy on the visitor's notice board
- listing it on the school's publication scheme (Freedom of Information Act 2000);
- producing a confidentiality statement for children

The Headteacher will also:

- work closely with the coordinator;
- provide leadership and vision in respect of equality;
- provide guidance, support and training to all staff;
- monitor the effectiveness of this policy;

Role of Staff

Staff will:

- comply with all aspects of this policy by not promising at any time absolute confidentiality when a disclosure has been made to them;
- undertake appropriate training;
- pass on confidential information for the safety, well-being and protection of our children to the Designated Person;
- implement the school's equalities policy and schemes;
- report and deal with all incidents of discrimination and bullying including those happening outside of the business environment such as online;
- attend appropriate training sessions on equality;
- report any concerns they have on any aspect of the school community
- not discuss the school, the company, any Libra employees or any Libra children on any social media website or exchange.
- report any communication either seen on social media website or heard about through gossip that concerns the school, the company, any Libra employees or any Libra children.

Role of Children

Children will be aware:

- that they can talk about any concerns or worries they have with school staff;
- of the confidentiality statement and that information will be shared for their own safety and well-being;
- of how to access confidential support such as Childline and Ofsted;
- that they will be encouraged by the school to discuss any matters that they have brought to the attention of the school with their parents/carers;
- treat others, their work and equipment with respect;
- support the school Code of Conduct and guidance necessary to ensure the smooth running of the school;
- liaise with the school council;

Role of the School Council

The School Council will be involved in:

- reviewing the effectiveness of this policy with the Senior Leadership team.

Role of Parents/Carers

Parents/carers will:

- be aware of and comply with this policy;

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- be aware that the safety, wellbeing and protection of pupils is the paramount consideration in all decisions that school personnel make about confidentiality;
- work in partnership with the school and are kept informed of their child's progress and behaviour;
- be asked to take part periodic surveys conducted by the school;
- have ready access to the files and records of their children.

Role of School Visitors (Outside Agencies, Parent Helpers and Students)

- All school visitors will be made aware of the school policy about disclosures and confidentiality.
- report all disclosures to the Designated and or Deputy Safeguarding Lead;
- must report any concerns they have regarding a pupil/s safety, wellbeing and protection.

Training for Staff

All staff:

- have equal chances of training, career development and promotion
- receive training where appropriate on this policy on induction:
- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction in order to improve their understanding of the Equality Act 2010 and its implications

Raising Awareness of this Policy

We will raise awareness of this policy via:

- the Libra Prospectus and Children's Handbook
- the company website
- the Staff Handbook
- meetings with parents
- school events
- meetings with staff both school and residential
- communications with home such as newsletters

Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any child and it helps to promote equality at this school.

Monitoring the Effectiveness of the Policy

The practical application of this policy will be reviewed annually or when the need arises by the coordinator and the Headteacher.

Linked Policies

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| ▪ Safeguarding & Child Protection | ▪ Dealing with Allegations Against School Staff |
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▪ Use of Social Media	▪ Whistle Blowing
▪ Searching Young People and their Possessions	▪ De-escalation and Positive Handling
▪ Disciplinary Policy and Procedures for staff	

Director:	Joan Wilkes	Date:	20.05.17
Deputy Head:	Kirsty Crosby	Date:	20.05.17

Libra School Initial Equality Impact Assessment

Policy Title	The aim(s) of this policy	Existing policy (✓)	New/Proposed Policy (✓)	Updated Policy (✓)
Confidentiality, Dignity and Privacy Policy	Yes stated			✓

This policy affects or is likely to affect the following members of the school community (✓)	Children	School Staff	Parents/carers	Directors	School Volunteers	School Visitors	Wider School Community
	yes	yes	yes	yes	yes	yes	yes

Question	Equality Groups																		Conclusion										
	Age			Disability			Gender			Gender identity			Pregnancy or maternity			Race			Religion or belief			Sexual orientation			Yes	No			
Does or could this policy have a negative impact on any of the following?	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS					
		✓			✓			✓			✓			✓			✓			✓			✓			✓			
Does or could this policy help promote equality for any of the following?	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Yes	No
	✓			✓			✓			✓			✓			✓			✓			✓				✓			
Does data collected from the equality groups have a positive impact on this policy?	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Yes	No
	✓			✓			✓			✓			✓			✓			✓			✓				✓			

Conclusion We have come to the conclusion that after undertaking an initial equality impact assessment that a full assessment is not required.

Preliminary EIA completed by	Date	Preliminary EIA approved by	Date
Kirsty Crosby Reviewed by Kirsty Crosby	02.02.16 20.05.17	Joan Wilkes	02.06.16 20.05.17

Libra School Policy Evaluation

Points to be considered	Yes	No	N/A	Please supply evidence
• Policy annually reviewed	x			
• Policy in line with current legislation	x			
• Coordinator in place	x			
• Nominated governor in place			x	
• Coordinator carries out role effectively	x			
• Headteacher, coordinator and nominated governor work closely	x			
• Policy endorsed by governing body			x	
• Policy regularly discussed at meetings of the governing body			x	
• School staff aware of this policy	x			
• School staff comply with this policy	x			
• Children aware of this policy	x			
• Parents aware of this policy	x			
• Visitors aware of this policy	x			
• Local community aware of this policy			x	
• Funding in place			x	
• Policy complies with the Equality Act	x			
• Equality Impact Assessment undertaken	x			
• Policy referred to the School Handbook	x			
• Policy available from the school office	x			
• Policy available from the school website	x			
• School Council involved with policy development	x			
• All stakeholders take part in questionnaires and surveys			x	
• All associated training in place	x			
• All outlined procedures complied with	x			
• Linked policies in place and up to date	x			
• Associated policies in place and up to date	x			
A statement outlining the overall effectiveness of this policy				
It is effective and suitable for purpose				