

# Confidentiality Policy

2025-2026



# Confidentiality Policy

## Introduction

Confidentiality in maintained schools across the UK is governed by a combination of legislation and statutory guidance, primarily issued by the Department for Education (DfE). These frameworks ensure that pupils' personal information is handled sensitively and lawfully, while also balancing the duty to safeguard children and promote their welfare.

## Key Legislation

### Data Protection Act 2018 & UK General Data Protection Regulation (GDPR)

These are the principal laws governing the collection, processing, and sharing of personal data in schools. Schools must ensure that data about pupils, staff, and families is processed fairly, lawfully, and securely. The legislation gives individuals the right to know what information is held about them and sets out conditions for sharing information.

### Education Act 1996

Contains provisions relating to the maintenance and disclosure of pupil records. It sets out the rights of parents to access their children's educational records, subject to certain exemptions where confidentiality is required.

### Children Act 1989 and 2004

These Acts place a duty on schools to promote and safeguard the welfare of children. While confidentiality is important, these Acts also provide for information sharing where it is necessary to protect a child.

### Freedom of Information Act 2000

Gives the public the right to access information held by public bodies, including schools. However, there are exemptions for personal and sensitive information to protect confidentiality.

### Department for Education (DfE) Guidance

#### Keeping Children Safe in Education (KCSIE)

This statutory guidance outlines the responsibilities of school staff to report safeguarding concerns, even if information is shared in confidence. The guidance makes clear that child protection takes precedence over confidentiality where a child's welfare is at risk.

#### Information Sharing: Advice for Practitioners Providing Safeguarding Services to Children, Young People, Parents and Carers

This non-statutory guidance, endorsed by the DfE, provides practical advice on when and how information can be shared legally and appropriately. It clarifies that fears about sharing information should not stand in the way of safeguarding children.

#### Data Protection: A Toolkit for Schools

This DfE toolkit offers practical guidance on how schools can comply with data protection law, including managing confidentiality, consent, and information security.

#### Working Together to Safeguard Children - This multi-agency statutory guidance (updated regularly)

underlines the importance of information sharing for safeguarding and promoting the welfare of children.

## **Aims**

The aim of this policy is to ensure that every member of the school community understands how the school deals with confidential information and the varying levels of confidentiality which might be offered in different circumstances.

The school is mindful that it is placed in a position of trust and that sharing information unnecessarily is an erosion of that trust. Even when sensitive information appears to be widely known, it will not be assumed by those immediately involved that it is appropriate to discuss or share this information further.

By developing a proper understanding of confidentiality, we will foster an ethos of trust within the school, where children feel able to confide in members of staff, as well as being encouraged to talk to their parents and carers. We are 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.

We aim to reassure parents and pupils that their best interests will be maintained and that all issues arising will be handled in a sensitive manner. Please refer to **our Data Protection (GDPR) policy** for further details about how information is handled.

## **Confidentiality – Sharing Information**

In a confidential relationship there is openness and agreement about what will happen to information disclosed between two, or more, people. It may not have to take the form of total secrecy. In practice there are few situations where absolute confidentiality is possible and, in many cases, only limited confidentiality can be offered. The boundaries of confidentiality must be made clear at the beginning of the conversation.

If it is felt that there is a possibility of children being harmed or put in danger, the necessity to inform the Designated Lead responsible for child protection within the school will be explained.

If confidentiality has to be broken, the child must be informed first and reasons given. The child must be reassured that confidential information will only be shared on a strictly need-to-know basis and only in their own best interests.

If a member of the school community receives information where they believe there is a child protection issue, they should refer the case to the Designated Lead responsible for child protection within the school.

Where any information is shared with another professional, in the interests of the child, then a record of the information and with whom it was shared will be kept in school.

## **Confidentiality and Pupils**

The school prides itself on good communication and staff are always available to talk to both children and parents/carers about issues that are causing concern – whatever

they might be. School encourages children to confide in parents/carers and may in some cases support the children in this.

All children have the 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, and information collected for one purpose should not be used for another.

Confidentiality is a whole school issue and staff are aware that classroom work, such as circle-time and other PSHE sessions dealing with sensitive issues such as sex, relationships and drugs, can lead to disclosure of a child protection issue.

If a child did begin to talk about something personal and sensitive, teaching staff would protect them from sharing such information with the group and later encourage the child to talk about their issue in private and advise and support them accordingly.

However, 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. The school would share with parents any child protection disclosure before going on to inform the correct authorities, except where this was not in the best interests and safety of the child. The school has appointed a senior member of staff as Designated Lead for child protection. There is clear guidance for the handling of child protection incidents and all staff have regular training on child protection issues. Please refer to our Safeguarding Children Policy for more detail on this.

All information about individual children is private and will only be shared with those staff that have a need to know. All social services, medical and personal information about a child, including Special Education Needs paperwork, will be held in a safe and secure place which cannot be accessed by individuals other than school staff. Professionals visiting the school, such as school nurses, counsellors or advisors, for example, are bound by professional codes of conduct which uphold confidentiality, but in classroom situations will work within the school policy. More information on this is available in the school's *Data Protection (GDPR) Policy*.

Parents have a right to access any records the school may hold regarding their child, but not to those of any other child they do not have parental responsibility for. Parents should not have access to any other child's books, marks and progress grades at any time, especially at parents' evening.

However, parents should be aware that information about their child will be shared with the receiving school when they leave. Addresses and telephone numbers of parents and children will not be passed on except in exceptional circumstances or to a receiving school.

## **Confidentiality and Staff**

All staff can expect that their personal situation and health will remain confidential, unless it impinges on their terms of contract or endangers pupils or other members of staff.

Staff performance management will be carried out privately. Targets for individuals, named lesson observation sheets and other performance data will be securely stored in secure electronic files. A copy will also be held by the person to whom the information pertains.

### **Confidentiality and Governors**

Governors need to be mindful that confidential issues, about staff and children and their families, may be discussed or brought to their attention. Any sensitive correspondence should be clearly marked as 'confidential' and minuted separately. Once read, these confidential papers should be destroyed or returned to the Chair for secure filing.

Governors serving on committees where sensitive or contentious issues about staff, children or families are discussed, should not share this information with the wider board of governors, particularly as, in the case of an Appeal or Complaint, a group of governors without any prior knowledge of the case would need to convene to hear details of it and form an unbiased opinion.

Governors must observe complete confidentiality in dealing with issues concerning individual staff, pupils and families and whenever they have been asked to do so by the governing board. They should not share information with their family members and care should be taken when making phone calls and using e-mail.

Any governor known to have committed a breach of confidentiality may be asked to stand down.

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, and names of individuals need not be mentioned.

Governors should exercise the highest degree of prudence when discussion of potentially contentious issues arises outside the governing board, being careful not to appear to give opinions on behalf of the Governing Board.

### **Confidentiality and families**

We recognise that sometimes there may be family issues which might affect a pupil and which the family will only disclose to us if they can be sure the information will be treated confidentially and not be shared unnecessarily. We will respect the wishes of the family wherever possible, but, where it is felt necessary to share the information given to us, this will be discussed with the parent first, unless a pupil is considered to be at immediate risk and/or there is an overriding child protection concern.

### **Confidentiality and Visitors**

A 'Visitor' in this context is any person who works in school either in a paid or a voluntary capacity, for example, parent readers or music tutors. In some instances, a visitor may become privy to personal information regarding pupils, parents and staff that is of a sensitive or confidential nature.

All regular visitors to school receive Safeguarding advice through an information leaflet / Induction. This advice makes it explicit that any personal information they may come across should remain confidential and not be shared outside of school. It also gives clear guidance about what to do in the event of 'disclosure' by a child and that in these circumstances they do not guarantee confidentiality to the child and who they should speak to in these circumstances.

Parents in school working as volunteers in classrooms, or as part of the Parent Teachers Association (PTA) will not report or disclose any information to other parents. This allows the teachers to deal with such matters in line with school policy and on occasions to allow children to put the matter right without the direct involvement of their parents.

All visitors are made aware of our Visitors Code (See Appendix 1)

### **Links to Other Policies / Documentation**

- Data Protection (GDPR) Policy
- Dignity at Work Policy
- Safeguarding and Child Protection Policy
- Whistle Blowing Policy
- Safeguarding Advice to Visitors
- Pupil Privacy Notice
- Online and Mobile Technology Policy
- Staff Code of Conduct
- Governors' Code of Conduct
- Visitors' Code of Conduct



Head Learner – Ms. Suzanne Howard  
Designated Teachers for Child Protection – Ms.  
S Howard, Mr. G Bailey, Mrs. J Ryan, Mr. R  
Douglas, Miss L Fletcher.

## Visitors' Code

### Code of Conduct for Adults Entering the School

Moorside Primary School is a safe, happy and secure learning environment. To help us maintain this please be aware of the following:

- **Visitors to report to the school office** where the School Administrators will deal with your requests.
- **Visitor badges must be worn** and will be issued by the School Administrator. Local Authority staff must wear their identification badges.
- **The Visitor Register must sign in** when you arrive and out when you leave.
- **Visitors must make themselves aware of the Fire Evacuation Procedures** – these can be found on the walls of classrooms. (Continuous Siren= Fire)
- **All visitors and adults will conduct themselves in a respectful, supportive and friendly manner** which values and respects different racial origins, religions, cultures and language.
- **All adults will speak to children in an appropriate and acceptable manner.**
- All adults regularly working with children will have a **DBS** (Disclosure and Barring Service) check.
- **If you believe a child may be suffering or at risk of suffering harm**, a child discloses abuse, or the behaviour of another adult gives rise for concern **you have a duty to notify one of the designated leads for child protection named above**.
- Please report any untoward incident with children, parents or carers to the appropriate Deputy Head teacher or Headteacher.
- **No photography is allowed**, without explicit permission by a member of staff.
- **Mobile Phone use must not be used in school except in the staffroom**, where children are not present.
- All visitors must have the utmost regard to **CONFIDENTIALITY**.

At Moorside Primary School, we take our responsibility of safeguarding children very seriously and we are proactive in every area of school life. Please help us to keep the children safe, happy and secure by following our Visitors Code when you are in school.