

Confidentiality guidance for the primary school setting

There may be occasions, within or outside the classroom setting, that pupils disclose issues and school staff are unsure how to deal with it. The purpose of this guidance is to clarify the responsibilities of a primary school in relation to maintaining pupil confidentiality.

There is no legislation relating specifically to confidentiality in schools, however, the DFEE (2000) states in Sex and Relationship Education Guidance that;

“Schools must be absolutely clear about the boundaries of their legal and professional roles and responsibilities. A clear and explicit confidentiality policy should ensure good practice throughout the school **which both pupils and parents understand**. Teachers cannot offer or guarantee absolute confidentiality.”

And;

“It is only in the most exceptional circumstances that schools should be in the position of having to handle information without parental knowledge. Where younger pupils are involved this will be grounds for serious concern and child protection issues should be addressed.”

The guidance goes on to say that on rare occasions a primary school teacher may be approached by a pupil who is having a sexual relationship or is contemplating sexual activity. “This should be viewed as a child protection issue.” In this instance child protection procedures should be followed.

The guidance is reinforced by Barnsley Safeguarding Children Board Guidance (2007), Working Together To Safeguard Children (2006) and The Sexual Offences Act (2003) which states that “sexual activity with a child under 13 is never acceptable-regardless of circumstances-children of this age can never legally give their consent.”

The implications of this Act and the DFEE guidance are that each school needs to develop its own confidentiality policy to guide staff. Representation from teaching and non teaching staff, as well as parents, governors and the school nurse will ensure it is developed and implemented effectively. Pupils could input via the school council to provide their perspective and help with formatting the policy so it uses language they can understand.

The policy should:

- Identify how staff, pupils and parents or carers are made aware of the school's confidentiality policy and how it works in practice
- Reassure pupils that their best interests will be maintained
- Encourage pupils to talk to their parents or carers and identify how they will be supported to do so
- Ensure that pupils know that school staff cannot offer unconditional confidentiality

- Reassure pupils that, if confidentiality has to be broken, they will be informed first then supported as appropriate (*involving the pupil throughout the process*)
- Highlight that if there is any possibility of abuse, the school's child protection procedures will be followed.

School nurses have their own professional guidance in relation to confidentiality, however, they have to abide by the school's policy when working in the classroom. If the school nurse stance outside the classroom is different to other school staff this should be made clear in the policy.

REFERENCES

Barnsley Safeguarding Children Board
Child Protection Procedures 2007

Confidentially in Schools
Sheila White
Brook Publications
September 2001

Department for Education and Skills
Working Together To Safeguard Children (2006)

Sex and Relationship Education Guidance
DfEE 0116/2000