



Tillery Charter Academy 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.

Tillery Charter Academy seeks to put the child at the heart of the learning process and to provide a safe and secure learning environment. It is committed to developing creative and positive ways for the child's voice to be heard while recognizing the responsibility to use, hold, and safeguard information received. The school is mindful that it 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. The School has a duty of care and responsibility towards pupils, parents/carers and staff.

Objectives:

1. To provide consistent messages in school about handling information about children once it has been received.
2. To foster an ethos of trust within the school.
3. To ensure that staff, parents, and pupils are aware of the school's confidentiality policy and procedures.
4. To reassure pupils that their best interests will be maintained.
5. To encourage children to talk to their parents and carers.
6. To ensure that pupils and parents/carers know that school staff cannot offer unconditional confidentiality.
7. To ensure that there is equality of provision and access for all including rigorous monitoring of cultural, gender, and special educational needs
8. To ensure that if there are child protection issues then the correct procedure is followed.

9. To ensure that confidentiality is a whole school issue and that during lessons ground rules are set for the protection of all.

10. To understand that health professionals are bound by a different code of conduct.

11. 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 that they do not have parental responsibility for.

Guidelines:

1. All information about individual children is private and should only be shared with those staff who have a need to know.

2. 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.

3. The school continues to actively promote a positive ethos and respect for the individual. There is clear guidance for procedures for the handling of child protection incidents. All staff have regular training on child protection issues. There is clear guidance for procedures if a member of staff is accused of inappropriate conduct. Staff are aware of the need to handle all issues about different types of families in a sensitive manner. Any intolerance about gender, faith, race, culture, or sexuality is unacceptable and should follow the school's discipline policy.

4. 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.

5. The 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. The school encourages children to talk to parents/carers about issues causing them concern and may in some cases support the children to talk to their parents. The school would share with parents any child protection disclosure before going on to inform the correct authorities.

6. Parents/carers and children should feel reassured that in exceptional circumstances confidentiality will be broken.

7. 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 identified.

8. Confidentiality is a whole school issue. Clear ground rules must be set for any classroom work such as circle time and other lessons dealing with sensitive issues such as death, etc. The school needs to be proactive so children feel supported but information is not necessarily 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.

10. 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 the information, but not on general view to other parents/carers and children.

11. 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 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 change school. All personal information about children, including social services records should be regarded as confidential. It should be clearly understood by those who have access to it, and whether those concerned have access to all, or only some of the information

'Confidentiality' also refers to protecting the information we hold about the pupils in this school and their families. All staff will endeavor to maintain confidentiality when appropriate, for example by considering the conversations they have about pupils and their families, the purpose of these conversations and where these take place. All students and helpers at the school will be made aware of this through our Confidentiality Statement (see below).

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
 - School officials with legitimate educational interest;
 - Other schools to which a student is transferring;
 - Specified officials for audit or evaluation purposes;
 - Appropriate parties in connection with financial aid to a student;
 - Organizations conducting certain studies for or on behalf of the school;
 - Accrediting organizations;
 - To comply with a judicial order or lawfully issued subpoena;
 - Appropriate officials in cases of health and safety emergencies; and
 - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA.

*****Confidentiality Statement: Teachers talk about their job constantly. Conversations at breaks and lunchtimes are often about school, individual children, and their families. We ask that such conversations are regarded as confidential. Similarly, the work, progress, and behavior of individual children is a matter of fact for the teacher, the child, and the parents of the child. Any comments made by students about a child, or an incident at school may be misinterpreted and lead to misunderstandings. Small incidents are dealt with in school and should end there. More serious incidents will be discussed, in confidence, with parents. We feel sure you will understand the need for such confidentiality on school matters. As a student, helper, and employee in the school we ask that you respect confidentiality on such matters to avoid misunderstandings and upset.**

Signature _____

Date _____

Revised 1/26/2022