



# GEORGE ABBOT SCHOOL

<b>Policy Title:</b>	<b>Confidentiality &amp; Student Disclosures - Guidelines</b>		
<b>Author:</b>	<b>Deputy Headteacher – Student Development</b>		
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All staff, external agencies /visitors working with students, students and parents should be aware of the School's guidelines on confidentiality and student disclosures which is available from the School Office on request.

This document has taken into consideration the following guidelines and should be read in conjunction with the School's policy and procedures for Child Protection.

- New Multi-Agency Protocol for professionals Working with Sexually Active Young People Under the Age of 18 in Surrey (06/FAMM/38)
- Sex and Relationships Guidance – Section 7 Confidentiality (DfEE 0116/2000)
- Confidentiality Policy – guidance produced by Surrey Healthy Schools Team (2006)

## **Key Principles:**

- Students cannot learn effectively if they are concerned or frightened about being abused or being the victim of violence in the home. Students' fears or worries will be taken seriously by staff.
- Students have a right to expect schools to provide a secure /safe environment.
- Members of staff and adults working with students are not able to offer students or their parents' unconditional confidentiality, and are bound by the School's policy on Child Protection.
- Members of staff are not legally bound to pass on information about pupils to their parents
- Teachers are not bound by law either to maintain or break the confidence of a student. They are advised to comply with School policy and/or the Headteacher's instructions and to use their professional judgement
- Teachers can make an appointment for a student under 16 to attend a family planning clinic.
- All confidential information disclosed by students will be communicated to others only on a 'need to know' basis.
- Any action that the School takes will be considered to be in the 'best interests of the student'.
- Trusted relationships with students, built up over many years, may be damaged if confidentiality is breached. Where there is a conflict of interests between the student and their parents/carers, the welfare of the student must be paramount.
- The School will follow national and local guidance on information sharing.

## **Guidelines / procedures:**

Students will be reminded that the School cannot offer unconditional confidentiality annually at the first assembly of the School year.

Where a student makes a disclosure during a lesson, the subject teacher will endeavour to speak to the student again before the end of the day or as soon as possible the next day to acknowledge what has been said and, if necessary, clarify the situation. Disclosures of a confidential nature will be passed on to the student's Head of Year or the Child Protection Liaison Officer only.

Where a student discloses information that suggests they may be 'at risk', including at risk of self-harm, the

school's Child Protection procedures will be followed.

The School will seek, in general, to discuss any concerns with the family and where possible, ask their agreement to making referrals to the Surrey Contact Centre. However this will not be done if doing so might put the student at increased risk of significant harm. The School will ensure that, should confidentiality have to be broken, the student is informed first and that appropriate support is offered.

The School will take seriously its responsibility to teach students about personal safety and how to protect themselves physically, mentally and sexually (see Sex and Relationships Education policy). The School will provide information on the law regarding sexual behaviour, help lines and where students can access confidential support.

Although teachers are not required by law to pass on information about students to parents, all efforts will be made to persuade the student to talk to their parent or carer about concerns, particularly in situations where a student who is under 16 years of age is thought to be in a sexual relationship or is contemplating sexual intercourse.

"It is only in the most exceptional case that schools should be in the position of having to handle such information without parental knowledge, and where younger pupils were involved this would be grounds for serious concern" (SRE Guidance 2000)

The Headteacher and Governors will monitor the frequency of such cases.

"A duty of confidence may be owed to a child or young person in their own right. A young person aged 16 or over, or a child under 16 who has the capacity to understand and make their own decisions, may give (or refuse) consent to a disclosure. Otherwise a person with parental responsibility should consent on their behalf." (Child Protection guidelines paragraph 4:2:15)

**In exceptional circumstances where confidential information is not shared with parents/ carers** the school will ensure that the student has been made aware of any risks (including provision of information about contraception) and where they can get confidential information and advice. In such situations the decision to withhold information will be taken jointly by the CPLO, the student's Head of Year and the Headteacher and the reasons for the decision recorded. In such situations the 'Fraser' guidelines (see below) will be used to influence decisions made and consideration will given to the 'best interests' of the student. The welfare of the student is paramount

Health professionals and some other external agencies are bound by their professional codes of conduct to maintain confidentiality. When working in a classroom situation they are also bound by relevant school policies and will seek, therefore, to prevent inappropriate personal disclosures within a classroom setting.

#### **Fraser Guidelines:**

'Gillick competency' and 'Fraser guideline' refer to a legal case which looked specifically at whether doctors should be able to give contraceptive advice or treatment to under 16-year-olds without parental consent. In 1985, Lord Fraser said in judgement of the Gillick case, that a doctor can give contraceptive advice or treatment to a person under 16 without parental consent providing the doctor is satisfied that:

- The young person understands the health professional's advice
- The young person cannot be persuaded to let his/her parents know
- The young person is likely to begin/continue to have sex without contraception
- Unless s/he has contraception the young person's physical/mental health is likely to suffer
- The young person's best interests is to receive contraceptive advice/treatment without parental consent

#### **School Contact**

Mr Rob Giles, Assistant Headteacher and Child Protection Officer (CPO)

Mrs Kate Carriett, Headteacher