



KING JAMES I ACADEMY

Confidentiality Policy

Date adopted by Governors: September 2016

Date of Next Review: September 2018

Confidentiality Policy

1. Reasons for a Confidentiality Policy

1.1 This policy should be seen as an integral part of ensuring that King James provides a safe environment where individuals are treated with respect. The main reasons for producing a policy are:

- To comply with legislation;
- To provide practical guidelines;
- To protect people who are connected with King James, volunteers, staff, pupils, parents and governors.

2. Purpose

2.1 The purpose of this policy is to detail the basic standards that volunteers, staff and governors should adhere to, and which can be incorporated as part of normal working practice.

3. Statement on Confidentiality

3.1 King James offers confidentiality. Any sensitive information given will not be passed on except in very rare circumstances where this is necessary to protect a vulnerable person from harm, or to comply with the law. In such circumstances, the information will only be passed on as permitted in this policy. This must be confirmed with the Headteacher. Wherever possible and appropriate the person will be informed that this action has been taken.

4. Legal context

- The Human Rights Act 1998 guarantees respect for a person's private and family life, home and correspondence.
- The Data Protection Act 1998 (DPA) concerns personal information, which includes facts and opinions about an individual which might identify them. The DPA ensures that information held about any person cannot be used for purposes other than those for which it was originally supplied, without the person's consent. Exceptions to these Acts are allowed where this is necessary to protect a vulnerable person from harm.
- Some restricted and specific areas of legislation over-ride the Human Rights Act and the Data Protection Act, for example in the area of suspected terrorist activity or over specific safeguarding concerns.
- Governors are legally responsible for all the activities of King James staff and may ask for information at any time to ensure that agreed policies are being implemented. Governors are not entitled to an individual's personal information.

5. Implementation

5.1 King James will ensure that all volunteers, staff and governors are issued with this policy. Staff should report any concerns regarding confidentiality. This policy will be reviewed regularly.

6. Confidentiality in Practice

- 6.1 The vast majority of enquiries can be treated in strict confidence. It is not necessary to inform all enquirers of the confidentiality policy as a matter of course, as to do so may be off-putting to those simply seeking information.
- 6.2 However, should the enquirer ask about confidentiality, or indicate that they are about to disclose information of a sensitive and serious nature, they should be made aware of King James's policy statement on confidentiality. The following easy to read phone statement should be read out in these circumstances:
- 6.3 King James practices a confidentiality policy. This means that usually, anything you tell the person from King James will be kept private. But sometimes I may have to 'break confidentiality' – this means telling someone in a position of authority. This is very rare. I only have to do this if someone is in danger, and needs help. I will only tell the people who need to know.**
- 6.4 Callers have the right to decide what information they choose to share with King James staff. Cases should not be discussed in any out-of-work context, even when the enquirer cannot be identified.
- 6.5 No attempt should be made to retain an enquirers contact details other than for sending information that has been requested. As soon as the requested information is sent all identifying information must be destroyed. If details need to be sent to the enquirer, e.g. membership forms, the contact details should be written directly on an envelope for mailing to prevent accidental retention of personal information. Occasionally more than one person will contact King James regarding a third party. This is not cause for an exception to the general principles of confidentiality set out in this policy. No personal details of any King James pupil, parent, member of staff, governor or volunteer will be disclosed without their agreement.
- 6.6 Permission must be gained from the Headteacher to ensure DP compliance before releasing personal information. If a case study is requested for inspection/training, all personal details must be removed (anonymised).

7. Informing service users of the confidentiality policy

- 7.1 Any user of the service can see a copy of the confidentiality policy on the website. Enquirers can obtain a paper copy of these policies by sending a self addressed envelope to King James I Academy, South Church Road, Bishop Auckland, DL14 7JZ.

8. Exceptions to confidentiality

- 8.1 The only exceptions to complete confidentiality are when:
- The enquirer describes a situation which raises concerns about the safety of a child or vulnerable adult;
 - The enquirer is in immediate danger, e.g. suicidal;
 - The enquirer discloses information about an alleged crime or discloses information that an alleged crime is going to happen.
 - In the case of concerns about a child, members of staff make a referral to Kim Jennings (CP Officer).

8.2 Any information about any crime or criminal activity must be passed on to the police. In an emergency situation, a member of staff should contact the police and then notify the Headteacher as soon as possible.

9. Unauthorised breaches of confidentiality

9.1 Staff members who breach these guidelines by communication, dissemination or solicitation of non-essential and/or identifying information about current or former staff, volunteers, members or enquirers in any way other than authorised above may be asked to cease their volunteer role within King James.