



# GEORGE ABBOT SCHOOL

<b>Policy Title:</b>	<b>Confidentiality &amp; Student Disclosures - Guidelines</b>	
<b>Author:</b>	<b>Dedicated Safeguarding Lead</b>	
<b>Date of most recent review:</b>	<b>June 2021</b>	
<b>Date of next review:</b>	<b>June 2022</b>	
<b>School Mission Statement:</b>	Academic excellence within a strong community of equality and respect, where potential and opportunity are realised.	

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.

- Surrey Safeguarding Children Partnership - Procedures Manual
- DfE - Relationships education, relationships and sex education (RSE) and health education
- DfE – Keeping Children Safe in Education 2020

## 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 or DSLs instructions and to use their professional judgement.
- Teachers can make appointments for a student under 16 to speak to the school nurse or a GP about their mental health.
- Teachers can make an appointment for students under 16 to attend a family planning clinic, GP, or school nurse without parental permission if the student is 'Gillick' competent.
- Teachers can make an appointment to see the school counsellor for students under 16 without parental permission if the student is 'Gillick' competent (see 'Fraser Guidelines' )
- 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 child'.
- 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 and regularly.

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 and the relevant Deputy safeguarding lead or the Designated Safeguarding Lead.

Where a student discloses information that suggests they may be 'at risk', including at risk of self-harm, the school's Child Protection and safeguarding procedures will be followed. Parents would be informed unless this would be deemed by the School to be putting the child 'at risk'.

The School will seek, in general, to discuss any concerns with the family and where possible, ask their agreement to making referrals to the Children's Single Point of Access. 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 Relationships and Sex 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. The Headteacher and Governors will monitor the frequency of such cases.

### **Exceptional Circumstances**

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 DSL, 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 guide decisions made and consideration will be given to the 'best interests' of the student. The welfare of the student is paramount. The school will encourage the student to speak to their parents/carers about their health and welfare.

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 any medical 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
- The young person's physical/mental health is likely to suffer without treatment
- The young person's best interests is to receive advice/treatment without parental consent

### **School Contact**

Ms Liz Kemp, Deputy Headteacher and Designated Safeguarding Lead (DSL)/Mrs Kate Carriett, Headteacher.