

Confidentiality and Data Protection Policy
Mount Pleasant Primary School
Summer Term 2017

(Also see: School's Publication Scheme on information available under the Freedom of Information Act 2000)

The nature of our work in school brings us into contact with confidential information. All those involved with handling information working in, or with school must be able to do so sensibly and with confidence.

The processing of any personal information requires an entry in the Information Commissioners Public Register, Mount Pleasant is registered as a 'Data Controller'. Any breach of the Data Protection Act (eg loss of information) must be reported to the Information Commissioner.

Data is stored under 2 categories:

'Structured' – all formal records, reports, information regarding another person, eg home address, observations required to fulfil our duty of care.

'Unstructured' – ad hoc records usually kept by individual teachers and having no bearing on the education or welfare of the child eg football team list or match reports etc.

This policy covers all information/data which is 'structured'.

The sharing of any structured information that is personal to another person can only be done if:

- Consent to share the information has been given by the person or adult (in the case of a child)
- To share the information is supporting a Child Protection issue
- Sharing information strictly between those who require the information in order to carry out their duties eg sharing records of achievement with the next teacher or school.

This policy sits alongside all other policies in school, especially, but not exclusively Child Protection Policy, Special Educational Needs Policy, Assessment Policy, but also, Records of Concern, Cohort files, Care Plans. This policy does not replace Dudley's Confidential Reporting Policy adopted by the Governing Body.

The following main points **must always** be followed:

- Remember that parents and carers have a right to access any information held on their child. The Data Protection Act or Freedom of Information Act, can be requested to be made in writing. You do not have to give parents instant access to the information requested, you may need time to sort this so that other children's data is removed eg from class records/files. If you are in any doubt, seek advice from the Headteacher first. No parent or carer can ask to see any other child's records, if you are doubtful of the right to see information eg split

families, right of access, parent responsibilities, etc then you must first seek advice from the Headteacher.

- Staff must not discuss any details about another child who could be identified through the discussion with anyone but the child's own parent/carer and those who have a 'need to know' (this may include outside agencies).
- Information given by parents/carers will be passed on to other staff within our own setting (in line with Data Protection Act) but staff must **never openly** discuss details of a child in 'casual' conversations and never in an environment where other children, parents or visitors to the school could overhear. Information about a child or family **must never** be discussed with people from other settings without the Headteacher's permission.
- Any information passed via e-mail must be marked **PROTECT RESTRICT OFFICIAL SENSITIVE PERSONEL in line with recently published legislation and training**. Such e-mails must only be opened within the school system; opening such an email at home or sending such an email from a home computer will render the information 'insecure' which can then be shared openly.
- Issues of a personnel nature must remain confidential to the people involved. Information of this type must only be passed on to those who '**need to know**'. When receiving information of a confidential nature, it is important that you clarify with the person making the disclosure who you will need to share the information with.
- Information held regarding a child's safety eg passwords used in Nursery, must be kept in a 'restricted' file in a **locked cupboard** and not shared with anyone except relevant staff.
- All staff must comply fully with the **Data Protection Act and Freedom of Information Act**. If in any doubt you must discuss any concerns with the Headteacher.
- Any items discussed with the Governing Body of a confidential nature will be marked CONFIDENTIAL and are not openly shared.