

Forres Sandle Manor (Non-Academic) Policy

Policy Title	Confidential Policy
Policy Lead (Appointment (& Initials))	Director of Finance and Operations
Date of Last Review	May 2020
Date of Next Review	May 2022

CONFIDENTIALITY

OVERVIEW

- FSM is committed to providing a safe and confidential environment to its pupils, parent body and staff. No information given to FSM will be shared with others without the subjects expressed permission.
- For the purpose of this policy, confidentiality relates to the transmission of personal, sensitive or identifiable information about individuals or which comes into the possession of FSM through its operations as an educational business.
- FSM holds personal data about its pupils, parent body and staff which will only be used for the purposes for which it was gathered and will not be disclosed to anyone outside FSM without prior permission.
- All personal data will be dealt with sensitively and in the strictest confidence internally and externally.

PURPOSE

- The purpose of this policy is to ensure that all pupils, parents and staff, including volunteers, understand FSM's requirements regarding the disclosure of personal data and confidential information.

ACCESS PRINCIPLES

- All personal paper-based and electronic data are stored in accordance with the Data Protection Act 2018 and must be secured against unauthorised access, accidental disclosure, loss or destruction.
- All personal paper-based and electronic data must only be accessible to those individuals authorised to have access.

STATISTICAL RECORDING

- All statistical records given to 3rd parties, such as school census or bench marking requests shall be produced in anonymous form, so individuals cannot be recognised.

BREACHES OF CONFIDENTIALITY

- FSM recognises that occasions may arise where individuals may be required to breach confidentiality. Confidential or sensitive information relating to a person may need to be divulged where there is risk of danger to an individual or the public at large, or where it is against the law to withhold it. In these circumstances, information may be divulged to external agencies (police or social services for example) on a need to know basis.
- Where an individual feels confidentiality should be breached the following steps are to be taken:
 - Raise the matter immediately with the Headmaster in the first instance. Discuss the issues involved and explain why they feel confidentiality should be breached and what would be achieved by breaching confidentiality. The Headmaster will take a written note of this discussion.
 - The Headmaster (or his delegated deputy for the matter) is responsible for making a decision on whether confidentiality should be breached. If the decision is to breach confidentiality then the following steps should be taken:
 - Headmaster makes contact with the Chairman or Vice Chairman of Governors and briefs on the full facts ensuring they do not breach confidentiality in the process. Authority to breach confidentiality should be sought at governor level.
 - If Board authority is given then a full written report on the case should be made and any action agreed undertaken. The Headmaster is now responsible for ensuring all activities are followed up.
 - If the Board member does not agree to breach confidentiality then that is final decision of FSM and no further action is to proceed.

LEGISLATIVE FRAMEWORK

- FSM, through the Data Protection Officer, will monitor this policy to ensure it meets statutory and legal requirements including the Data Protection Act, Children's Act, Rehabilitation of Offenders Act and Prevention of Terrorism Act.

ENSURING THE EFFECTIVENESS OF THE POLICY

- All FSM staff will have ready access to this policy through the shared *Teachers* folder on the FSM intranet. New staff will be introduced to the confidentiality policy as part of their induction. The policy will be reviewed as often as necessary and, in any case, no longer than every 2 years.

NON-ADHERENCE

- Breaches of this policy will be dealt with under the FSM Grievance and/or Disciplinary procedures as appropriate.