

**THE MILL HILL SCHOOL FOUNDATION
WALKER HOUSE, MILLERS CLOSE, THE RIDGEWAY, MILL
HILL, LONDON NW7 1AQ**

Mill Hill School

Belmont, Mill Hill Preparatory School

Grimsdell, Mill Hill Pre-Preparatory School

The Mount, Mill Hill International

Confidentiality Policy

**Independent Co-educational Day School for Pupils aged 3 to 18 years and
Boarding School for Pupils aged 13 to 18 years**

Effective May 2015

The Mill Hill School Foundation

Confidentiality Policy

Introduction

1. This policy has been authorised by the Court of Governors of the Mill Hill School Foundation (the 'Foundation') and is addressed to all members of staff (whether employed full-time or part-time, contracted or a volunteer) working at the Foundation, namely in the four schools (Mill Hill School, Belmont Mill Hill Preparatory School, Grimsdell Mill Hill Pre-Preparatory School, The Mount Mill Hill International) and at Walker House, and to the appointment of Members of the Court of Governors of the Mill Hill School Foundation. This policy is made available to all parents in hard copy, upon request to the School Office. In addition, a copy of the policy may be inspected at any point in the School day in the School Office.
2. All the Foundation Schools handle personal information relating to pupils, parents and staff.

This includes information relating to:

- welfare issues
- medical matters
- academic progress
- staffing issues
- financial matters

Some of this information must be treated as **confidential**. However, there will be circumstances when such information should be shared, with or without the consent of the individual concerned.

3. The Foundation recognises that Guidance for Safer working Practice for Adults who work with Children and Young People (DfE January 2009) allows for the sharing of confidential information 'when it is in the interests of the child to do so'.
4. The Foundation recognises its legal obligation to preserve, protect and securely process personal, sensitive and confidential data and has established Policies to address that duty, including a Data Protection Policy. The Court of Governors is registered as Data Controller under the Data Protection Act 1998 [the "Act"]. The Mill Hill School Data Protection Policy has been framed under the Act. The Foundation recognises its duty to operate in accordance with the provisions and spirit of the Act and relevant guidance and good practice.

Policy

5. Aims: The aims of the policy are:
 - to confirm the commitment of the Foundation to maintain **confidentiality** in all appropriate circumstances.
 - to define the extent of different areas of **confidentiality** and to explain the limits of confidentiality in a school environment.

What is confidential information?

6. **Confidential** information can be defined as personal information which:

- is sensitive in nature
- is not already lawfully in the public domain or readily available from another public source and
- has been shared on the understanding that it would not be shared with others.

Confidentiality means respecting the need to keep confidential information private by ensuring that it is stored securely and shared only

- with the consent of the individual(s) concerned or
- on a "*need to know*" basis.

Confidential information may also need to be disclosed:

- in response to a court order
- as part of evidence in legal proceedings
- or where there is an overriding public interest in disclosure.

Welfare issues

A. Child Protection

7. The Foundation is committed to taking all reasonable measures to safeguard and promote the welfare of each pupil in its care and expects all staff and volunteers to share this commitment. The Foundation's Policy to Safeguard and Promote the welfare of Children who are Pupils at the School sets out the procedures to be followed if there are any indications that a child has suffered significant harm or is at risk of suffering significant harm. The policy also explains the role of **confidentiality** in handling such situations.

In summary, any member of staff suspecting or hearing a complaint of abuse should observe the following procedures:

5.1 **Initial complaint:** A member of staff suspecting or hearing a complaint of abuse:

- must listen carefully to the child and keep an open mind. Staff should not take a decision as to whether or not the abuse has taken place
- must not ask leading questions, that is, a question which suggests its own answer
- in situations where a child has made a disclosure the member of staff must reassure the child but not give a guarantee of absolute **confidentiality**. The member of staff should explain that they need to pass the information to the Designated Person for Child Protection who will ensure that the correct action is taken, namely

Mill Hill School, Mrs Jane Sanchez, Principal Deputy Head
 Belmont, Mr Leon Roberts, Deputy Head (Pastoral) (until 31 August 2015)
 and Mr Paul Symes Senior Deputy Head (Pastoral) (from 1 September 2015)
 Grimsdell, Mr Kevin Dobson, The Deputy Head (also for EYFS)
 The Mount, Mill Hill International, Ms Sharon Mitchell, The Deputy Head (Pastoral)

- must keep a sufficient written record of the conversation. The record should include the date, time and place of the conversation and the essence of what was said and done by whom and in whose presence. The record should be signed by the person making it and should use names, not initials. The record must be kept securely and handed to the Designated Person.

All suspicion or complaints of abuse must be reported to the Designated Person. If an allegation is made against a member of staff or a volunteer, the member of staff receiving the allegation must immediately inform the Head who will contact the LADO. If the Head is absent, the allegation should be passed directly to the Chairman of the Court of Governors of the Mill Hill School Foundation.

If an allegation is made against the Designated Person with responsibility for child protection, the member of staff receiving the allegation must immediately inform the Head. If the Head is absent, the allegation should be passed directly to the Chairman of the Court of Governors of the Mill Hill School Foundation.

If an allegation is made against the Head, the member of staff receiving the allegation must immediately inform the Chairman of the Court of Governors of the Mill Hill School Foundation who will immediately pass the allegation to the Designated Person without notifying the Head first.

Any allegation made against a member of staff or volunteer should be reported to the Head. The Designated Person will decide, taking into account the nature and seriousness of the complaint, whether to refer the matter to police or social services. This may involve a "no names" discussion with the Local Authority Designated Officer (LADO).

Information relating to child protection matters will be regarded as **confidential** to be stored securely and to be shared on a strict "need to know" basis. Before sharing information with parents, the Designated Person will assess any risk to the child in doing so and may take advice from the LADO. **Full details are given in the Foundation's Policy to Safeguard and Promote the welfare of Children who are Pupils at the School.**

B. Other welfare issues

8. Other welfare issues can include:

- pupils under stress, for example bereavement or parents' divorce
- pupil involvement with drugs or alcohol
- bullying.

9. The Foundation encourages pupils to seek support and advice on personal problems from their Teacher, Tutor, Housemaster or Housemistress, Foundation Chaplain, School Nurse, the School's Deputy Heads or other members of the School Senior Management Teams.

- Pupils will not be given a guarantee of **confidentiality** and will be encouraged to tell their parents of any concerns. However, information on these issues will be regarded as **confidential**, to be stored securely and to be shared on a strict "need to know" basis. If information needs to be shared, pupils should be given the opportunity to be involved in that disclosure.

Medical matters

10. On admission, parents are requested to provide full information concerning their child's health.

The Head of the School may at any time require a medical opinion or certificate as to a pupil's general health where the Head considers that necessary as a matter of professional judgment in the interests of the child and/or the School. If the pupil is of sufficient age and maturity they are entitled to insist on **confidentiality** which can nonetheless be overridden in the Pupil's own interests or where necessary for the protection of other members of the School community.

Throughout the Pupil's time as a member of the Foundation, the School Medical Officer, who is the Doctor(s) employed at Millway Surgery, Mill Hill, providing medical services to the Foundation, shall have the right to disclose **confidential** information about the Pupil if considered to be in the Pupil's own interests or necessary for protection of other members of the School community. Such information will be given and received on a **confidential** "need-to-know" basis.

The School Nurses provide medical and some counselling services to pupils and staff. The School Counsellor provides counselling services to pupils and staff. Information obtained as part of these services will be given and received on a **confidential** "need to know" basis.

The School Nurse Manager and nursing staff will observe the rules on **confidentiality** set out in the Code of Conduct on professional standards for nurses and midwives issued by the Nursing & Midwifery Council.

The School nurses are able to advise pupils about such matters as contraception and sexual health on a confidential basis, provided that they are satisfied that the pupil has sufficient maturity and understanding to make such decisions. The nurses will always encourage pupils to confide in their parents. **If there are suspicions or allegations of abuse, the Foundation's Policy to Safeguard and Promote the welfare of Children who are Pupils at the School will apply and concerns will be reported to the Designated Person for Child Protection.**

Academic Progress

11. The Foundation's commitment to high educational standards means that we will share information on pupils' progress fully with their parents through:

- reports
- parents meetings and
- personal contact.

Names of pupils, such as class lists or team lists, may be published on the School notice boards and in the School magazines. Photographs of pupils who have won awards may be published in the local press and it is the custom and practice of this Foundation to include some photographs or images of pupils in its Schools' promotional material, such as the prospectus, school magazine and website. We would not disclose personal details of a child without the Parents' consent. Parents who do not want their child's photograph or image to appear in any of the Foundation's promotional material must make sure their child knows this and must write immediately to the Head of their child's school requesting an acknowledgement of their letter.

If a pupil has a learning difficulty/disability, this information will be regarded as **confidential** to the extent that it is not already known within the classroom. Discussions with parents about their child's progress will also be regarded as **confidential**. However, if asked for a reference by another school or educational institution, the School will provide full relevant information.

Information on academic progress will be provided to all those with parental responsibility unless there is a written agreement or court order to the contrary.

Staffing issues

12. The Foundation Schools may, during the course of their activities, collect, store and process **confidential** information relating to members of staff. Such information may concern current, past or prospective employees, and could, for example, include details of an employee's:

- name, address, date of birth;
- email address;
- performance appraisals;
- information about a staff member's health or condition;
- equal opportunities monitoring data;
- employment history/CV.

Such **confidential** information shall be maintained to enable the Foundation to process the information for legal, personnel, administrative and management purposes, and in the case of information about a staff member's health or condition, in order to monitor sick leave and take decisions as to fitness for work. All **confidential** information constituting 'Personal Data' or 'Sensitive Personal Data' (as defined by the Data Protection Act 1998 ("the Act")) will be processed in accordance with the Act.

The **confidential** information shall be maintained in accordance with the principles of **confidentiality** as defined by this policy (paragraph 4 above). Each School and Walker House will ensure appropriate security measures are taken against unlawful or unauthorised processing of **confidential** information, and against the accidental loss of, or damage to, **confidential** information.

In addition, all members of staff owe a duty during their employment or at any time after it has ended (except in the proper performance of their duties), not to disclose, or cause any unauthorised disclosure of or use for their own purposes of:

- **confidential** information; or
- any other information (relating to the Foundation, the Foundation Schools, staff, pupils and their parents or guardians and Governors) which is not readily ascertainable other than to persons employed by or holding office with the School; or
- any information in respect of which the Foundation or its Schools owes an obligation of confidentiality to any third party,

whether the information is contained in documents or otherwise.

Financial matters

13. Any information provided by parents as to their income, liabilities or general financial position will be regarded as **confidential**. However, when offered a place at a Foundation School, parents are required to consent to:
- a. enquiries being made of a child's current or previous schools for confirmation that all sums due and owing to such school(s) have been paid and
 - b. information being given to any other school or educational establishment to which it is proposed the child is to be sent, if any fees of this school are unpaid.

Last review by the Pastoral Committee May 2015.

By resolution of the Pastoral Committee

Signed

Date

Chairman of the Pastoral Committee

Annex - further reading

Government Guidance on confidentiality

Copies of the following guidance can be downloaded from the "Every Child Matters" web site:

- *What to do if you're worried a child is being abused(Appendix 3)*
- *Information Sharing: Practitioners' Guide*
- *Information Sharing: Further Guidance on Legal Issues*
- *Information Sharing: Case Examples*
- *'Guidance for Safer working Practice for Adults who work with Children and Young People' (DCSF January 2009)*

Copies of the following guidance can be downloaded from the Department of Health web site:

- *Seeking Consent: Working with Children (Department of Health guidance for medical practitioners)*
- *Best practice Guidance for Doctors and other Health Professionals on the provision of advice and treatment to young people under 16 on contraception, sexual and reproductive health (Department of Health July 2004)*

Code of Conduct: Professional Standards for Nurses & Midwives (Nursing & Midwifery Council). A copy of this document can be downloaded from the Nursing and Midwifery Council web site

Case Law

Fraser Guidelines and Gillick -v- West Norfolk & Wisbech Area Health Authority (1986) A.C.112

R (on the application of S.Axon) -v- Secretary of State for Health & Family Planning Association [2006] EWHC 37 (Admin)