



## Confidentiality Policy

## Introduction

All Trustees, governors, staff and contractors have a legal obligation to respect the confidentiality of information that relates the Enquire Learning Trust and its academies.

There are however circumstances where it is not possible or appropriate to maintain confidentiality. This policy sets out the confidentiality requirements of the Enquire Learning trust (Trust), together with the circumstances where it is not possible to maintain confidentiality.

## Scope

This policy applies to all trustees, governors, staff and contractors and pupils of the trust. It also applies to parents and carers of pupils at an academy within the trust, who formally confirm that they will abide by our policies when their children join our academies.

Each academy within the Trust must ensure that the contents of this policy are communicated to all staff and parents. This communication must be evidenced in writing and refreshed annually.

Each academy within the trust must publish this policy on its website.

## Definitions

Child	Anyone under the age of 18
LGB	Local Governing Body, with delegated powers of governance from the Trustees.
Trust	Enquire Learning Trust – Darren Holmes
Parent	Those having parental responsibilities for the care of a child (including carers)
Pupil	Anyone enrolled at the trust academies
Staff	Anyone employed by the trust
SLT	Senior leadership team

## Policy

- All personal and sensitive personal data is confidential by virtue of the data protection act. Personal and sensitive person data are defined and covered by the requirements of the Data Protection Policy
- All trustees and governors are bound to keep the trust and academy information confidential –other than that already in the public domain or which, by its nature would be readily available to the pupil – by virtue of the their position as trustees.
- All staff and contractors are bound to keep the trust and academy information confidential – other than that already in the public domain or which, by its nature would be readily available to the public – by virtue of their contractual understanding with the trust.
- Confidentiality does not extend to communications between staff and pupils. No member of staff may give an undertaking of confidentiality to a pupil. Any such undertaking given may not be honoured. This is partly because there may be a legal or regularity requirement to share information with the proper authroires and partly because it may not be in the pupils best interests – particularly as regards wellbeing or safety
- Where a member of staff is invited to receive confidential information from a pupil, the limitations of confidentiality should be made clear immediately. Other than the legal and other circumstances laid down in the Safeguarding policy, it is for the discretion of the member of staff to determine if – and what – information needs to be shared and with whom. Where practicable the ember of staff should avoid identifying the

individual pupil concerned unless the circumstances are exceptional or the shared information is valueless or cannot be acted upon without identifying the source.

- Pupils must be informed when a confidence has to be shared.
- Any confidentiality issues relating to Safeguarding and Child Protection should be determined under that policy.

### **Specific Expectations to Confidentiality Requirements**

- Healthcare professionals owe the same duty of care and confidentiality to patients under the ages of 16 as they do adults. Any professionally qualified nursing, counseling or medical staff, who are employed by the trust, are bound by this duty, which includes contraceptive and pregnancy advice. Whether a young person is competent to consent to treatment or is in serious danger is a matter for professional judgement by the healthcare professional. No information relating to advice or treatment will ever be shared, except where an overriding statutory obligation exists (e.g. child protection)