

Three Counties Academy Trust



Pupil Confidentiality Policy

#SG28

Last amended 5th December 2025

To be reviewed no later than August 31st 2026

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Common abbreviations and acronyms

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Common abbreviations and acronyms

AA	Admissions Authority	HASH	Herefordshire Association of Secondary Heads
AAI	Adrenaline Auto-Injector (Epi Pen)	HBV	Honour Based Violence
ACM	Asbestos Containing Materials	HR	Human Resources
AFH	Academies Financial Handbook	H&S	Health and Safety
AHT	Assistant Headteacher	HoS	Head of School
AIR	Attendance Intervention Reviews	HSE	Health and Safety Executive
APIs	Application Programme Interfaces	ICO	Information Commissioners Office
BAME	Black, Asian and Minority Ethnic Backgrounds	IHP	Individual Healthcare Plan
BCP	Business Continuity Plan	IRMS	Information and Records Management Society
BFR	Budget Forecast Return	IWF	Internet Watch Foundation
CAMHS	Child and Adolescent Mental Health Services	KCSIE	Keeping Children Safe in Education
CEO	Chief Executive Officer	KS1/2/3/4	Key Stage 1/2/3/4
CFO	Chief Financial Officer	LAC	Looked After Child
CIF	Condition Improvement Fund	LADO	Local Authority Designated Officer
CIN	Child in Need	LGB	Local Governing Body
CLA	Children Looked After	LLC	Low-Level Concerns
CMIE	Child Missing in Education	LSA	Learning Support Assistants
COO	Chief Operating Officer	MASH	Multi-Agency Safeguarding Hub

COSHH	Control and Substances Hazardous to Health	MAT	Multi-Academy Trust
CP	Child Protection	MFA	Multi-Factor Authentication
CPD	Continuing Professional Development	MFL	Modern Foreign Language
CSCS	Children's Social Care Services	NCSC's	National Cyber Security Centres
CSE	Child Sexual Exploitation	NPQEL	National Professional Qualification in Executive Leadership
CTIRU	Counter-Terrorism Internet Referral Unit	PA	Persistent Absence
CWD	Children with Disabilities	PAN	Published Admission Number
DBS	Disclosure and Barring Service	PECR	Privacy and Electronic Communications Regulations
DDSL	Deputy Designated Safeguarding Lead	PEP	Personal Education Plan
DfE	Department for Education	PEEP	Personal Emergency Evacuation Plan
DHT	Deputy Headteacher	PEx	Permanent Exclusion
DSE	Display Screen Equipment	PLAC	Previously Looked After Child
DSL	Designated Safeguarding Lead	PP	Pupil Premium
DPO	Data Protection Officer	PSHE	Personal, Social and Health Education
EAL	English as an Additional Language	PSED	Public Sector Equality Duty
ECT	Early Career Teacher	PTFA	Parent, Teacher and Friends Association
EHA	Early Help Assessment	RIDDOR	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations
EHCNA	Education, Health and Care Needs Assessment	RHE	Relationships and Health Education

EHCP	Education, Health and Care Plan	RSHE	Relationships, Sex and Health Education
EHE	Elective Home Education	SALT	Speech and Language Therapist
ELSA	Emotional, Literacy and Support Assistant	SARC	Sexual Assault Referral Centre
ESFA	Education and Skills Funding Agency	SBM	School Business Manager
EVC	Educational Visit Coordinator	SCCs	Standard Contractual Clauses
EWO	Education Welfare and Safeguarding Support Officer	SDQ	Strengths and Difficulties Questionnaire
EYFS	Early Years Foundation Stage	SEMH	Social, Emotional, and Mental Health
FBV	Fundamental British Values	SENCO	Special Educational Needs Coordinator
FGM	Female Genital Mutilation	SEND	Special Educational Needs and Disabilities
FOI	Freedom of Information	SLA's	Service Level Agreements
FSM	Free School Meals	STEM	Science, Technology, Engineering and Maths
FTS	Find a Tender Service	TA	Teaching Assistant
GAG	General Annual Grant	TCAT	Three Counties Academy Trust
GDPR	General Data Protection Regulation	VSH	Virtual School Headteacher
GIAS	Get Information about Schools		
GPA	Government Procurement Arrangement		

Statement of intent

Three Counties Academy Trust (TCAT) understands that the safety, wellbeing, and protection of pupils is of paramount importance. With this in mind, all pupils must be able to expect certain levels of trust when sharing personal information with TCAT staff.

Pupils need to know that they can seek help from their school in a safe and confidential manner.

This policy guides TCAT staff and visitors on the policy and procedures surrounding confidentiality.

Staff members adopt a supportive and accepting attitude towards pupils as part of their general responsibility for pastoral care. It is our hope that pupils and parents feel free to discuss any concerns and worries they have, that may affect educational progress with members of the TCAT team.

The Pupil Confidentiality Policy aims to:

- Promote a supportive and accepting ethos within TCAT and our schools
- Safeguard the wellbeing of pupils
- Build trust between pupils and staff
- Empower pupils to exercise control over their situation and voice their concerns
- Prevent TCAT or our schools dealing with each disclosure in isolation

NB. Where the term “parent” or “parents” is used this includes those who act as carers or have parental responsibility.

1. Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- DfE 'Keeping children safe in education (2025)'
- DfE 'Working together to safeguard children'
- The Education Act 2011
- The UK General Data Protection Regulation (GDPR)
- The Data Protection Act 2018
- The Human Rights Act 1998
- The Freedom of Information Act 2000

This policy operates in conjunction with the following TCAT and school policies:

- Records Management Policy (FI2)
- Freedom of Information Policy (FI10)
- Data Protection Policy (FI20)
- Disciplinary Policy and Procedure (HR3)
- Whistleblowing Policy and Procedure (HR25)
- Child Protection and Safeguarding Policy and Procedures (SG1)
- Anti-Bullying Policy (SG19)
- Online Safety Policy (SG43)
- Sharing Safeguarding Information Policy (SG50)

2. Definitions

For the purpose of this policy, '**confidentiality**' is an understanding that any information shared with someone in trust, with the intention to be kept private, will only be passed on to a third party with the prior agreement of the person disclosing it.

For the purpose of this policy, '**disclosure**' is the sharing of any private information, but which is not solely in relation to child protection issues.

Disclosure of the contents of a conversation may be discussed with professional colleagues, but the confider is not identified except in pre-determined circumstances.

3. Roles and responsibilities

The Executive Headteacher/CEO and Headteachers/Heads of School will:

- Ensure staff understand why they must agree to the regulations set out in this policy and the documents outlined in the legal framework
- Remain informed of any confidentiality, safeguarding or data protection concerns within the school and TCAT
- Decide on the appropriate disciplinary procedures that will be placed upon any staff member who is in breach of their confidentiality agreement or otherwise withholds, discloses, or shares confidential information without reason
- Ensure that this policy is kept up to date with all other documents, policies and statutory frameworks which operate in conjunction with this policy.
- Ensure staff are aware of and adhere to confidentiality requirements
- Lead TCATs approach to confidentiality breaches, including disciplinary actions where necessary

The DPO will:

- Address all concerns relating to data protection
- Provide advice in the event of a data breach
- Implement appropriate data breach mitigation strategies
- Understand all relevant legislation including the Data Protection Act 2018 and the UK GDPR
- Understand how to correctly withhold, store, move and share data
- Ensure that TCATs data is protected at all times and react quickly to any vulnerabilities

DSLs will:

- Understand the importance of information sharing with other schools, safeguarding partners, practitioners and any other relevant agencies or organisations
- Understand relevant data protection legislation and regulations with particular reference to the Data Protection Act 2018 and the UK GDPR

- Keep detailed, accurate, secure written records of concerns and referrals and understand the purpose of record-keeping

All staff members, volunteers and individuals working in cooperation with TCAT and our schools will:

- Uphold their responsibility and duty in relation to confidentiality
- Only share personal data with authorised individuals who have a need to know
- Ensure that information and personal details are not shared or discussed with others, except for the appropriate bodies
- Keep information regarding TCAT, our schools, including our pupils and parents, confidential
- Report breaches or concerns promptly to the DPO or DSL where the breach could also be a safeguarding concern

4. Limits of confidentiality

TCAT aims to strike a balance between confidentiality and trust, and ensuring the safety, wellbeing, and protection of its pupils.

In almost all cases of disclosure, staff will offer only limited confidentiality. This means that while information shared by a pupil will be treated sensitively and respectfully, it may need to be passed on to appropriate individuals, such as the DSL, if there is a concern about the pupil's wellbeing, safety, or if legal obligations require it.

TCAT will ensure that all staff understand that the Data Protection Act 2018 and the UK GDPR do not prevent the lawful sharing of personal information where doing so is necessary to safeguard and promote the welfare of children. Safeguarding will always take precedence over data protection concerns where the two appear to be in conflict.

Staff will share relevant information with the appropriate individuals or agencies without hesitation when there is a concern that a child may be at risk. Any doubt about whether information should be shared they will speak to the DSL or a deputy immediately to seek guidance.

TCAT will actively promote a culture of responsible information sharing, where fears about breaching confidentiality or data protection will never be allowed to stand in the way protecting a child from harm. Ongoing training and guidance will reinforce that it is both lawful and essential to share information when it is in the best interest of the child's safety and wellbeing.

All TCAT staff, volunteers and external partners will exercise their professional judgement to determine whether they will inform a pupil that a disclosure may be kept in confidence, and whether that confidence will be maintained after hearing the information. TCAT will take the stance that all information about individual pupils is private and should only be shared with other professionals who have a legitimate need to know. Under no circumstances will personal information about pupils, staff members or our schools be passed on indiscriminately.

Only information that is necessary for the purpose it is being shared for will be shared. All decisions and reasons for sharing data will be recorded by the DPO.

When confidentiality must be broken because a child may be at risk of harm, in accordance with TCAT's Child Protection and Safeguarding Policy and Procedures, TCAT will ensure the following:

- Pupils will be told when information has been passed on
- Pupils will be kept informed about what will be done with their information
- Pupils will be told exactly who their information has been passed on to, and kept informed throughout the process in order to alleviate any fears concerning the information becoming common knowledge

5. Classroom confidentiality

It is made clear to pupils that the classroom is not a place to disclose confidential, personal information.

Pupils are made aware that a staff member is always available to talk to them in private when needed.

If a visitor to the classroom is contributing to the lesson, they will work within the same boundaries of confidentiality as the teacher.

6. One-to-one disclosures

Where it is possible and reasonable and safeguarding concerns do not apply, consent will be sought for data processing as outlined in TCATs Privacy Notices where an individual may not expect their information to be passed on. Consent will be explicit and freely given, and the pupil will be told as to why, what, how and with whom their information will be shared.

Staff members will never promise a child that they will not tell anyone about a report of abuse and will make it clear to pupils that they may have to pass on some information if they believe the pupil is at risk.

When pupils make one-to-one disclosures, staff will:

- Listen calmly and non-judgementally
- Avoid interrogation and leading questions
- Use open-ended prompts, e.g. what, when, where

- Avoid repeat disclosures to multiple staff
- Maintain a written and factual record
- Inform pupils before any information is shared – unless it would compromise their safety

When concerns for a pupil come to the attention of staff, e.g., through observation of behaviour, injuries, or disclosure, however insignificant these might appear, the member of staff always discusses the issue with the DSL as soon as possible.

In accordance with TCATs Child Protection and Safeguarding Policy and Procedures, more serious concerns, such as those involving potential abuse, are immediately reported to ensure that any intervention necessary to protect the pupil is accessed as early as possible.

7. Disclosures to health professionals

Health professionals, such as the school nurse, may give confidential medical advice to pupils, provided the information is in regard to the pupil's wellbeing, and they are competent to do so and follow the correct procedures.

The school nurse is skilled in discussing issues and possible actions with pupils and on a need-to-know basis, the school nurse may share information with appropriate staff to enable improved support for pupils.

8. Breaking confidentiality

When confidentiality must be broken because a pupil may be at risk of harm, in accordance with our Child Protection and Safeguarding Policy and Procedures, TCAT will ensure the following:

- Pupils are told when the information has been passed on
- Pupils are kept informed about what will be done with the information
- To alleviate their fears about who else may be aware of the information, pupils are told exactly who their information has been passed on to
- The Executive Headteacher/CEO, DSL, Trust Education Welfare and Safeguarding Support Officer and the Headteacher/Head of School is to be informed of any child protection concerns
- Staff members are contractually obliged to immediately inform the Headteacher/Head of School who in turn must inform the Executive Headteacher/CEO

Staff members are not obliged to inform the police on most matters relating to illegal activity, such as illegal drugs or assaults; instead, these are assessed on a case-by-case basis with the support of the SLT.

Staff members are not permitted to pass on personal information about pupils indiscriminately.

9. Guidance for teaching staff

The safety and protection of the pupil is the paramount consideration in all confidentiality decisions. Staff members are not obliged to break confidentiality unless there is a child protection concern and are encouraged to share their concerns about pupils in a professional and supportive way.

In extreme cases, staff in breach of this policy may face disciplinary action, if it is deemed that confidential information was passed on to a third party without reasonable cause.

The following principles are adhered to when supporting pupils:

- Personal matters are discussed at an appropriate time and place
- Pupils with concerns are spoken to in confidence as soon as possible
- Where there are child protection concerns, the pupil is always spoken to in confidence before the end of the school day
- Pupils are told, prior to disclosures, that a staff member cannot guarantee confidentiality if they think a pupil is being hurt by others, hurting themselves, or hurting someone else
- Pupils are listened to carefully without judgement and it is made clear how the report will be progressed
- Pupils are not interrogated or asked leading questions
- Pupils are only prompted where necessary with open questions, e.g., where, when, what
- Pupils are not placed in the position of having to repeat the disclosure to several people
- A written record is made of the report
- Pupils will be informed before any information is shared, provided it is determined that this would not risk the child's safety
- Where appropriate, pupils are told to confide in their parents

Staff members may find themselves dealing with highly personal issues and potentially upsetting disclosures. With this in mind, staff members are encouraged to seek help from their DSL if they are unsure about how to respond to a situation.

TCAT has access to several external agencies that specialise in providing advice and support.

10. External visitors

All external visitors working with pupils are made aware of the Pupil Confidentiality Policy and work within its limits when interacting with pupils.

Healthcare professionals work within their codes of confidentiality when delivering their services within any TCAT schools.

11. Informing parents

TCAT works with parents to create a partnership of trust. It endeavours to inform parents of their child's progress and behaviour.

When a pupil discusses a personal matter with a staff member, they are encouraged to share the information with their parents unless there is an identifiable child protection risk associated.

Where a staff member believes a child protection risk is posed in regard to the family of the pupil, following a disclosure, the staff member will immediately contact the DSL and local safeguarding officer.

All parents are made aware of TCATs Pupil Confidentiality Policy and are informed that a copy can be viewed on their school website.

Parents are made aware that TCAT cannot offer complete confidentiality if they deem a pupil is at risk from harm.

12. Safeguarding

TCAT will act in accordance with our Child Protection and Safeguarding Policy and Procedures at all times when dealing with safeguarding issues.

All child protection and safeguarding concerns will be treated in the strictest of confidence in accordance with TCAT data protection policies.

TCAT will do all it can to protect the anonymity of pupils involved in any report of sexual violence or sexual harassment.

The sharing of safeguarding information will be managed in accordance with the Sharing Safeguarding Information Policy.

Monitoring and review

This policy will be reviewed in line with the published schedule at the front of this document and at any point material changes require it by the Executive Headteacher/CEO in collaboration with the Board appointed Trustee, the Trust Board and Executive and Senior Leadership.

Any changes made to the policy will be amended by the Executive Headteacher/CEO and will be communicated to Executive Leaders, the TCAT Central Team and to Headteachers/Heads of School, who, in turn, will alert school-based staff.

The next scheduled review date for this policy is 31st August 2026.

Signed by:

_____ Executive Headteacher/CEO

Date: _____

_____ Board appointed Trustee

Date: _____

Appendix A: Staff Information Sharing Flowchart

Staff information sharing flowchart

