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# The Confidentiality Policy

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WEST MIDLANDS EDUCATION AND SKILLS

## **Introduction**

This policy articulates how West Midlands Education & Skills staff are expected to treat confidential information. Staff may well receive and have access to private and personal information regarding students, parents/guardians/carers, families, stakeholders, partners, and West Midlands Education & Skills. Such information must be protected as it may be private, personal, commercially sensitive, or of a legally binding nature.

## **Definition**

Confidentiality refers to the limited use of information about West Midlands Education & Skills students, parents/guardians/carers, families, staff, stakeholders, and partners which may be obtained by staff during their work. Confidential and propriety information may be private, personal, sensitive, secret, valuable, expensive and/or easily replicated. Examples of such information are:

- data relating to students, parents/guardians/carers, families, employers, stakeholders, and partners.
- customer lists.
- unpublished financial information.
- tender and bid proposals.
- pricing/marketing and other unpublished strategies.
- documents and processes explicitly marked as confidential.
- documents and processes explicitly marked as commercially sensitive.
- unpublished forecasts, goals, strategies, plans and initiatives marked as confidential.

## **Rationale**

Sharing of any information should be done only on a need-to-know basis and only when it is in the best interest of the individual/s concerned.

## **Staff expectations - summary**

Staff are expected to:

- lock and/or secure confidential information at all times.
- retain confidential information on West Midlands Education & Skills premises unless it is strictly necessary to do otherwise.
- only disclose information to other staff when it is necessary, appropriate and authorised to do so.
- ensure that confidential information is only viewed on secure devices
- shred confidential documents once they are no longer needed.

Staff are not permitted to:

- use confidential information for personal benefit or profit.
- disclose confidential information to anyone outside the organisation.
- replicate documents or files and store them on insecure devices or locations.

Staff must return any confidential files or documents from personal storage and delete them from their personal devices.

### **Operating protocols**

When meeting with parents/guardians/carers, only information relating to their own child should be discussed. Staff should decline to enter into any conversation relating to other students in the school. Student/school business should not be discussed outside school hours during social occasions by any member of staff. School business should not be discussed near/on transport vehicles or in areas of the school environment where non staff members may be in a position to hear.

It is particularly important not to identify any student by full name outside of the school building/premises. Discussion of student/school business is strictly forbidden on social networking sites. Engagement in discussion about any social networking sites with West Midlands Education & Skills students should be discouraged and distraction strategies should be used.

Care must be taken when commenting on a student's actions or behaviours, personal or family circumstances during general staff conversations. Only positive affirming comments should be made in the presence of others.

Care must be taken when interacting with students and staff from other schools as part of our integration activities. Staff should not engage in any discussion about our students or their families with staff from other schools. Only positive affirming comments should be made. If staff or students from these schools persist in asking questions (however well meaning) please inform the Head of School of West Midlands Education & Skills.

Meetings involving confidential details in relation to school or student/family business should not take place in a public area where discussion can be overheard. Family preference for privacy should be respected at all times.

Individual families should always be consulted before any photos, videos, images etc. are permitted to be used in the media or in any public arena (e.g. newspapers, TV, websites etc.). Displaying of photos of students and their work is commonly practised throughout the school. Photograph displays should always portray students in the best positive light. Names, address, and phone numbers of any family should not be circulated to anyone without their consent. Names, address, and phone numbers should not be on public display in the school or in individual classrooms.

Any information, written or recorded, relating to a student is regarded as private and confidential and is only available to specific/relevant members of the school team and family. Such information can be released with recorded consent of parents/guardians/carers. Private and sensitive information relating to a student and his/her family which comes to staff attention should only be discussed with the Head of School a member of the senior leadership team present in the school and should not be shared publicly.

### **Exceptions**

Occasions may arise where confidential information must be released for legitimate reasons:

- as part of a regulatory or legislative audit or investigation.
- where the business considers a partnership or venture that requires disclosure of some information.

### **Disciplinary consequences**

Staff who fail to respect the Confidentiality Policy will be subject to disciplinary procedures and may face legal action. All potential policy breaches will be investigated.

Any breach of this Confidentiality Policy should be reported (in confidence) to the Head of School or the most senior member of the management team present in the school at the time the potential breach is identified.

Any employee who wilfully breaches confidentiality guidelines will face possible termination of contract.

Staff who unintentionally breach the policy may also be subject to contract termination, depending on the frequency, nature and seriousness of the breach.