



BEST FOOT FORWARD Confidentiality Policy

Author: Andrew Russell
Approved By: Bethany Russell
Date Approved: November 2024
Assigned Review Period: 1 Year Review Date – Due November 2025

The purpose of this Confidentiality Policy is to lay down the principles that must be observed by all who work within BEST FOOT FORWARD and have access to person-identifiable information or confidential information. All staff need to be aware of their responsibilities for safeguarding, confidentiality and preserving information.

Rationale

- The safety, well-being and protection of our young people are the paramount considerations in all decisions staff, at this organisation, make about confidentiality. The appropriate sharing of information between organisation staff is an essential element in ensuring our young people's well-being and safety.
- It is an essential part of the ethos of our organisation that trust is established to enable young people, staff, and parents/carers to seek help both within and outside the organisation. We, therefore, minimise information sharing to those occasions which are appropriate to ensure young people and staff are supported and safe.
- Young people, parents/carers and staff need to know the boundaries of confidentiality in order to feel safe and comfortable in discussing personal issues and concerns.
- The organisation's attitude to confidentiality is open and easily understood and everyone should be able to trust the boundaries of confidentiality operating within the organisation.
- Everyone in the organisation community needs to know that no one can offer absolute confidentiality and that there are limits of confidentiality that can be offered by individuals within the organisation community- so they can make informed decisions about the most appropriate person to talk to.



Definition of Confidentiality

The dictionary definition of confidential is "something which is spoken or given in confidence, private, entrusted with another's secret affairs". When speaking confidentially to someone, the confider has the belief that the confidant will not discuss the content of the conversation with another. The confider is asking for the content of the conversation to be kept secret. Anyone offering absolute confidentiality to someone else would be offering to keep the content of his or her conversation completely secret and discuss it with no one.

In practice, there are few situations where absolute confidentiality is offered. We have to strike a balance between ensuring the safety, well-being and protection of our young people and staff, ensuring there is an ethos of trust where young people and staff can ask for help when they need it - and ensuring that when it is essential to share personal information, child protection procedures and good practice are followed.

This means that in most cases what is on offer is limited confidentiality. Disclosure of the content of a conversation could be discussed with professional colleagues but the confider would not be identified except in certain circumstances.

The general rule is that staff should make clear at the beginning of the conversation that there are limits to confidentiality. These limits relate to ensuring children's safety and well-being. The pupil will be informed when confidence has to be broken for this reason and will be encouraged to do this for themselves whenever this is possible.

One to one disclosures to members of organisation staff (including voluntary staff)

It is essential all members of staff know the limits of the confidentiality they can offer to both young and parents/carers (see note below and safeguarding policy) and any required actions and sources of further support or help available, both for the pupil or parent/carer and for the staff member within the organisation. This includes support/advice from other agencies, where appropriate. All staff at this organisation encourage young people to discuss difficult issues with their parents or carers, and vice versa. However, the needs of the pupil are paramount and organisation staff will not automatically share information about the pupil with his/her parents/carers unless it is considered to be in the child's best interests.

Note: when concerns for a child or young person come to the attention of staff, for example through observation of behaviour or injuries or disclosure, however insignificant this might appear to be, the member of staff should discuss this with the Designated Safeguarding Lead as soon as possible. More serious concerns must be reported immediately to ensure that any intervention necessary to protect the child is accessed as early as possible. Please see the organisation's Safeguarding Policy.



The legal position for organisation staff

Staff should never promise confidentiality. Young people do not have the right to expect that incidents will not be reported to their parents/carers and may not, in the absence of an explicit promise, assume that information conveyed outside that context is private. No member of this organisation's staff can or should make such a promise. The safety, well-being and protection of the child is the paramount consideration in all decisions staff at this organisation make about confidentiality.

Organisation staff are not obliged to break confidentiality except where child protection is or may be an issue, however, at BEST FOOT FORWARD we believe it is important staff are able to share their concerns about young people with colleagues in a professional and supportive way, on a need-to-know basis, to ensure staff receive the guidance and support they need and the young people's safety and well-being is maintained. Organisation staff should discuss such concerns with the Designated Safeguarding Lead.

Professional judgement

Professional judgement is required by the mentor in considering whether he or she should indicate to a child that the child could make a disclosure in confidence and whether such a confidence could then be maintained having heard the information. In exercising their professional judgement, the mentor must consider the best interests of the child including the need to both ensure trust to provide safeguards for our children and possible child protection issues.

All staff at BEST FOOT FORWARD receive training in child protection and are expected to follow the Safeguarding Policy and procedures. Any concerns should be discussed with the Designated Safeguarding Lead.

Parents/carers

BEST FOOT FORWARD believes that it is essential to work in partnership with parents and carers and we endeavour to keep parents/carers abreast of their child's progress, including any concerns about their progress or behaviour. However, we also need to maintain a balance so that our young people can share any concerns and ask for help when they need it. When a young person does discuss a difficult personal matter with staff at BEST FOOT FORWARD, they will be encouraged to also discuss the matter with their parent or carer themselves. The safety, well-being and protection of our young people is the paramount consideration in all decisions staff at this organisation make about confidentiality.

Bethany Russell 07394 950803
beth@bestfootforward.org.uk

Andrew Russell 07538 719783
andrew@bestfootforward.org.uk

Website: www.bestfootforward.org.uk
Contact: admin@bestfootforward.org.uk

Complex cases

Where there are areas of doubt about the sharing of information, a consultation should be sought with the Local Children's Safeguarding Board through the Designated Safeguarding Lead.

Links to other organisation policies and procedures

This policy is intended to be used in conjunction with our Safeguarding Children & Child Protection, Whistleblowing and GDPR & Data Protection Policies – all of which can be found on our website www.bestfootforward.org.uk.

When confidentiality should be broken and procedures for doing this:

- Generally, any situation where the health, well-being or safety of a young person is in question.
- Where this does not apply, and you are still concerned and unsure of whether the information should be passed on or another action is taken you should speak to the Designated Safeguarding Lead
- If the Designated Safeguarding Lead issues instructions that she/he should be kept informed, all staff must comply. There is always a good reason for this, which you may not know about.

Principles of Confidential Discussion

- Ensure the time and place for a discussion are appropriate. When they are not, we reassure the young person that we understand that they need to discuss something very important and that it warrants more time, a different space and privacy. This will be reported back to the referral source and additional time, change of venue etc. can be applied. More serious concerns must be reported immediately to ensure that any intervention necessary to protect the child is accessed as early as possible.

Tell the young person we cannot guarantee confidentiality if we think they will:

- hurt themselves.
- hurt someone else.
- or tell us that someone is hurting them or others.

Do not interrogate the young person or ask leading questions.

Do not put young people in the position of having to repeat distressing matters to several people but we will inform the young person first before any confidential information is shared, with the reasons for this.

Encourage the pupil, whenever possible, to confide in his/her own parents/carers.

Support for staff

Staff may have support needs themselves in dealing with some of the personal issues of our young people. At BEST FOOT FORWARD we prefer staff to ask for help rather than possibly making a poor decision because they don't have all the facts or the necessary training or taking worries about young people home with them. There are many agencies we can refer young people to who need additional support and we have procedures to ensure this happens. We all work together as part of a team to support our young people and asking for help is a way, we ensure our staff have additional support given to them.

Onward referral

If there is an emergency safeguarding concern, the Designated Safeguarding Lead at BEST FOOT FORWARD will make an onward referral to the Multi-Agency Safeguarding Hub within 24 hours of the concern being raised. All staff are made aware of who the DSL and assistant DSL are at BEST FOOT FORWARD.

Dissemination and implementation

This policy has been distributed to all staff and is discussed at Director briefings and on an annual basis.

This policy forms part of the induction process of any new staff.