

OXBRIDGE GUARDIANS

CONFIDENTIALITY AND INFORMATION SHARING POLICY

This policy provides the processes and procedures for the appropriate sharing of information and boundaries of confidentiality

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Related Documents:
Data Protection Policy
Safeguarding and Child Protection
Policy

Oxbridge Guardians

Confidentiality and Information Sharing Policy

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Introduction

At Oxbridge Guardians we believe that the safety, well-being and protection of the children and young people in our care is the paramount consideration in all decisions staff, volunteers and Homestays make about confidentiality. The appropriate sharing of information between colleagues is an essential element in ensuring our children and young people's well-being and safety.

It is an essential part of the ethos of our company that trust is established to enable children, young people, parents, staff, volunteers and Homestays to seek help both within and outside the organisation in order to minimise the number of situations when personal information is shared to ensure children, young people, parents, staff, volunteers and Homestays are supported and safe.

Staff, volunteers and Homestays need to know the boundaries of confidentiality in order to feel safe and comfortable discussing personal issues and concerns, including sex and relationships.

Oxbridge Guardians's attitude to confidentiality is easily understood and everyone should be able to trust the boundaries of confidentiality operating within the company.

Issues concerning personal information including sex and relationships and other personal matters can arise at any time.

Everyone involved with Oxbridge Guardians needs to know that no-one can offer absolute confidentiality.

Everyone involved with Oxbridge Guardians needs to know the limits of confidentiality that can be offered by individuals within the organisation so they can make informed decisions about the most appropriate person to talk to about any health, sex and relationship or other personal issue they want to discuss.

This policy is based upon the following guidance:

- Keeping Children Safe in Education – Statutory guidance for schools and colleges, September 2016
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550511/Keeping_children_safe_in_education.pdf
- [Working Together to Safeguard Children, March 2015 \(Statutory guidance\)](#)
- Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (2015)
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419628/Information_sharing_advice_safeguarding_practitioners.pdf

Definition of Confidentiality

Confidentiality is defined as ‘something which is spoken or given in private, entrusted with another’s secret affairs’.

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 practise there can be no circumstances where absolute confidentiality is offered within Oxbridge Guardians. We strive to strike a balance between ensuring the safety, well-being and protection of our children, young people, parents, staff, volunteers and Homestays, ensuring there is an ethos of trust where individuals can ask for help when they need it and ensuring that when it is essential to share personal information, safeguarding and child protection issues and good practise are followed.

This means that in practise what is offered 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.

Staff, volunteers and Homestays should make it clear that there are limits to confidentiality at the beginning of the conversation. These limits relate to ensuring children’s safety and well-being. The child or young person will be informed when a confidence has to be broken for this reason and will be involved in the information sharing process.

One-to-one disclosures to members of staff, schools, volunteers or Homestays

It is essential all members of staff, schools, volunteers and Homestays to know the limits of the confidentiality they can offer to both children and young people and parents and any required actions and sources of further support or help available both for the child or young person or parent, within Oxbridge Guardians and from other agencies where appropriate.

All staff, schools, volunteers and Homestays working with Oxbridge Guardians encourage children and young people to discuss different issues with their parents or guardians and vice versa. However, the needs of the child or young person are paramount and the Oxbridge Guardians will not automatically share information about the child or young person with his/her parents unless it is considered to be in their best interests.

The seven golden rules to sharing information

1. Remember that the Data Protection Act 1998 and human rights law are not barriers to justified information sharing, but provide a framework to ensure that personal information about living individuals is shared appropriately.
2. Be open and honest with the individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. Seek advice from other colleagues and practitioners if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
4. Share with informed consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, there is good reason to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be certain of the basis upon which you are doing so. Where you have consent, be mindful that an individual might not expect information to be shared.
5. Consider safety and well-being: Base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.
6. Necessary, proportionate, relevant, adequate, accurate, timely and secure: Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely (see principles).
7. Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

The Principles

The principles set out below are intended to help staff volunteers and Homestays working with children, young people and parents share information between organisations.

Staff, volunteers and Homestays should use their judgement when making decisions on what information to share and when they should follow Oxbridge Guardians procedures or consult with a senior member of staff if in doubt.

The most important consideration is whether sharing information is likely to safeguard and protect a child or young person.

Necessary and proportionate

When taking decisions about what information to share, you should consider how much information you need to release. The Data Protection Act 1998 requires you to consider the impact of disclosing information on the information subject and any third parties. Any information shared must be proportionate to the need and level of risk.

Relevant

Only information that is relevant to the purposes should be shared with those who need it. This allows others to do their job effectively and make sound decisions.

Adequate

Information should be adequate for its purpose. Information should be of the right quality to ensure that it can be understood and relied upon.

Accurate

Information should be accurate and up to date and should clearly distinguish between fact and opinion. If the information is historical then this should be explained.

Timely

Information should be shared in a timely fashion to reduce the risk of harm. Timeliness is key in emergency situations and it may not be appropriate to seek consent for information sharing if it could cause delays and therefore harm to a child. Staff, volunteers and Homestays should ensure that sufficient information is shared, as well as consider the urgency with which to share it.

Secure

Wherever possible, information should be shared in an appropriate, secure way. Staff, volunteers and Homestays must always follow the organisation's policy on security for handling personal information.

Record

Information sharing decisions should be recorded whether or not the decision is taken to share. If the decision is to share, reasons should be cited including what information has been shared and with whom, in line with company procedures. If the decision is not to share, it is good practice to record the reasons for this decision and discuss them with the requester. In line with Oxbridge Guardians own retention policy, the information should not be kept any longer than is necessary. In some circumstances this may be indefinitely, but if this is the case there should be a review process.

When and how to share information

When asked to share information, you should consider the following questions to help you decide if and when to share. If the decision is taken to share, you should consider how best to effectively share the information.

When

Is there a clear and legitimate purpose for sharing information?

- Yes – see next question
- No – do not share

Does the information enable an individual to be identified?

- Yes – see next question
- No – you can share but should consider how

Is the information confidential?

- Yes – see next question
- No – you can share but should consider how

Do you have consent?

- Yes – you can share but should consider how
- No – see next question

Is there another reason to share information such as to fulfil a public function or to protect the vital interests of the information subject?

- Yes – you can share but should consider how
- No – do not share

How

- Identify how much information to share
- Distinguish fact from opinion
- Ensure that you are giving the right information to the right individual
- Ensure where possible that you are sharing the information securely

- Inform the individual that the information has been shared if they were not aware of this, as long as this would not create or increase risk of harm.

All information sharing decisions and reasons must be recorded in line with the Oxbridge Guardians procedures. If at any stage you are unsure about how or when to share information, you should seek advice and ensure that the outcome of the discussion is recorded.

If there are concerns that a child or young person is suffering or likely to suffer harm, then follow the relevant Safeguarding procedures without delay.

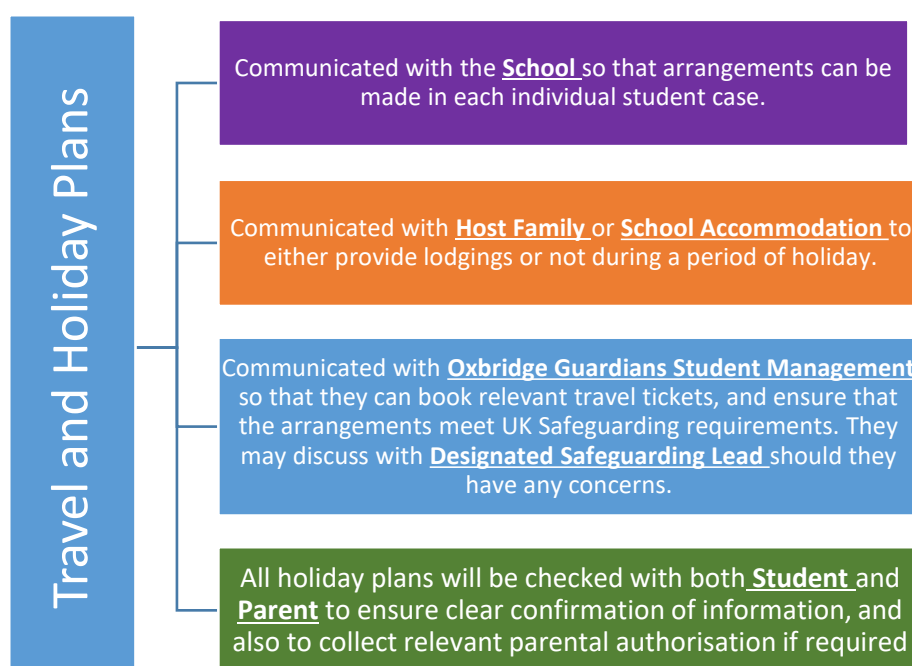
Practical Guide to Sharing of Information

Oxbridge Guardians are required to share certain information as part of our daily routines to provide the best possible standard of service to our students. These include, but are not limited to:

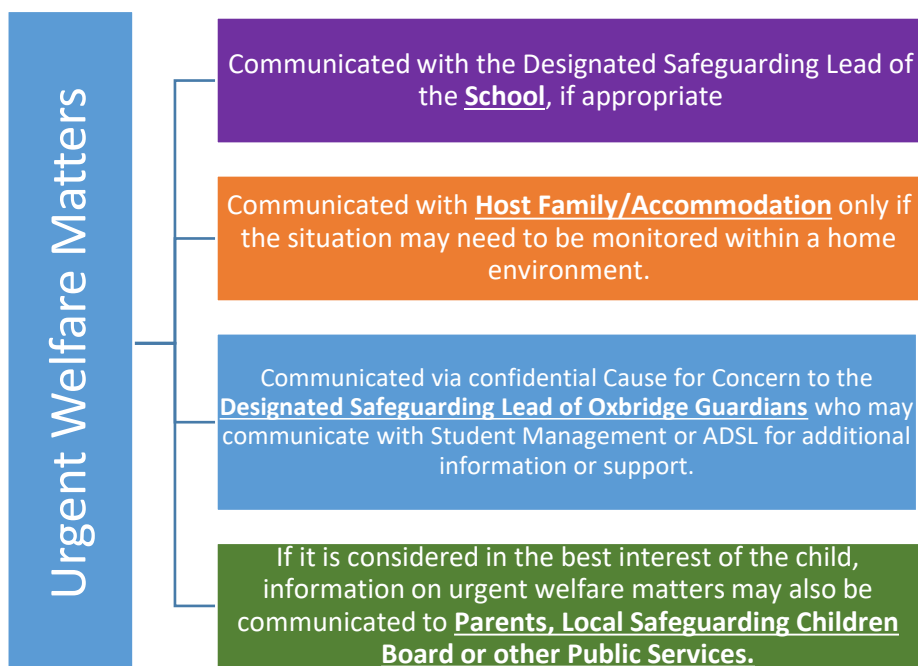
- Information on travel and half term/holiday plans
- Information on urgent welfare matters
- School Reports or other Academic concerns

To ensure clarity on our procedures we have noted below the processes that each of these cases would follow, along with staff or external people who may be consulted in each of these situations.

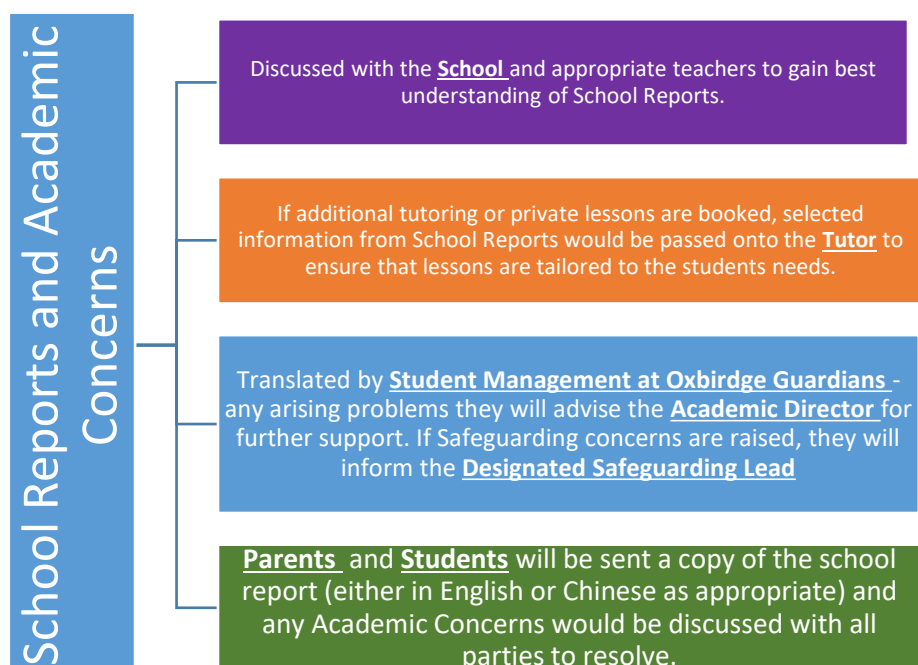
Information on travel and half term/holiday plans



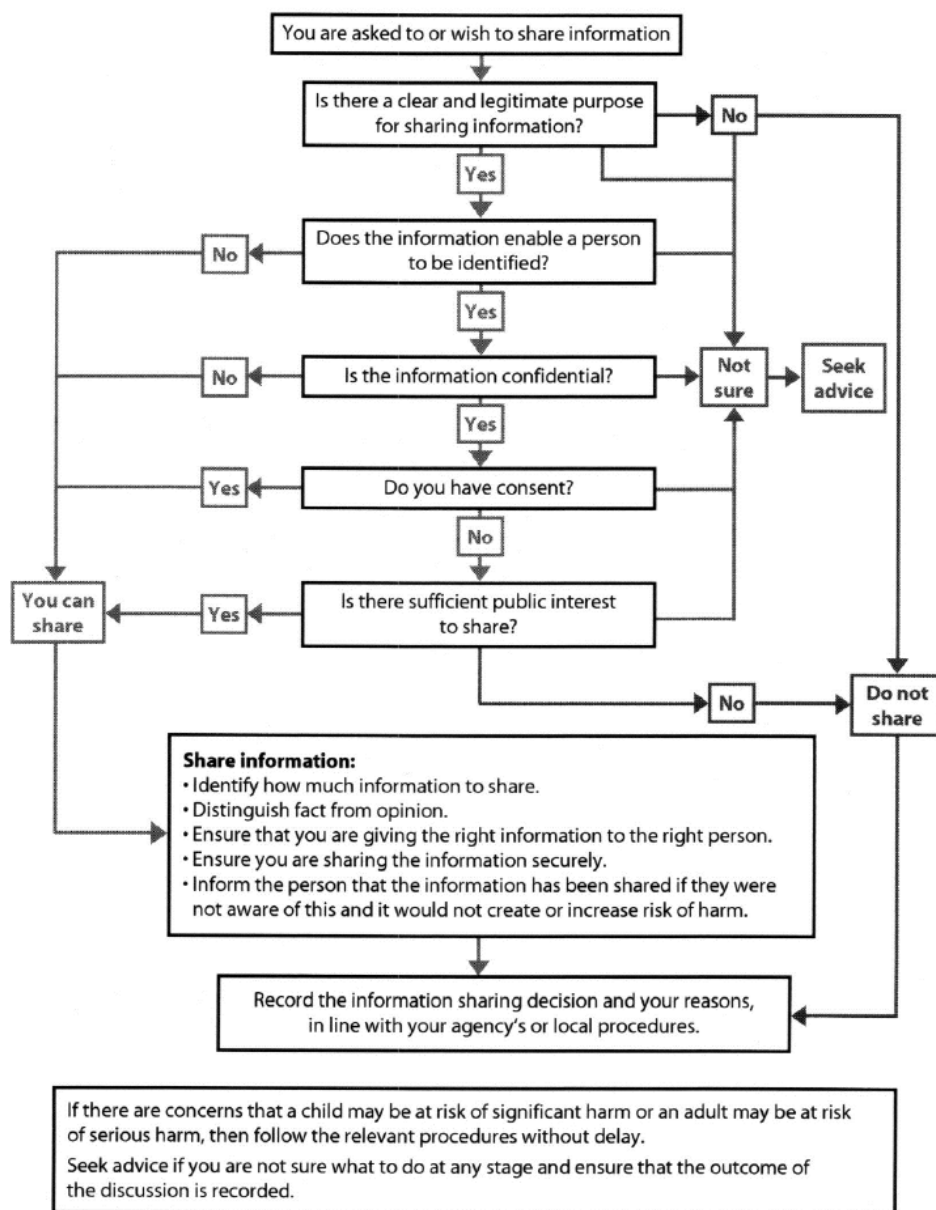
Information on Urgent Welfare Matters



School Reports or other Academic Concerns



Information Sharing Flowchart



If there are concerns that a child may be at risk of significant harm then follow the relevant procedures without delay. Seek advice if you are not sure what to do at any stage and ensure that the outcome of the discussion is recorded.