Malahide-Portmarnock Educate Together Secondary School

Confidentiality and Consent Policy

Mission statement

Malahide Portmarnock Educate Together Secondary School is committed to an inclusive student-centred educational experience based on collaboration, cooperation and creation. We strive to create a community of academic excellence which is welcoming, democratic, diverse and safe. Our vision is for students to become independent lifelong learners, who reach their full potential and become active members of society. In MPETSS we work to develop empathy and an understanding of difference in our ever-changing world.

COMMUNITY – COLLABORATION – CREATION

Purpose

The purpose of our school's Confidentiality and Consent Policy is to outline and clarify information and procedures around confidentiality for all stakeholders within our school community. This policy outlines all aspects involved in confidentiality within the school and should be read in conjunction with other school policies.

Context

MPETSS is an Educate Together secondary school where staff and students promote equality, creativity and inclusivity. This Confidentiality and Consent Policy is written in the context of contemporary legislation and other relevant publications. A list of references is provided at the end of this document.

Confidentiality and the role of staff:

The safety and welfare of children is the key principle underlying all decision making within MPETSS in line with the Child Care Act 1991 and the Children First Act (2015). Our school adopts a student-centred approach to education where support of students is paramount in our school community. The Children First Guidelines (2017) are applied in our school as appropriate. All staff members must be aware that absolute confidentiality cannot be guaranteed. In supporting the students of our school, all stakeholders must be aware of the limits to confidentiality. This includes a legal obligation to share information where a student's welfare is at risk. In the case where any member of the school community is aware of a concern to child welfare and safety, this concern must be reported to one of the following:

(i) The Designated Liaison Person (DLP) in our school: Principal Aoife Kelly-Gibson

(ii) The Deputy Designated Liaison Person (DDLP): Deputy Principal Anne Grills

(iii) Child and Family Agency Child Protection Social Work Services. Any stakeholder can report a child protection concern about a student or school directly by contacting the local social work office:

Tusla Child and Family Agency,
180-189 Lakeshore Drive,
Airside Business Park,
Swords,

Co. Dublin

Tel: 01-8708000

In cases where school personnel have a concern about a child but are not sure whether to report the matter to Tusla, the DLP shall seek advice from Tusla. In cases of an emergency where a child appears to be at immediate and serious risk and it is not possible to contact Tusla, An Garda Síochána shall be contacted immediately. This may be done at any Garda Station. Under no circumstances should a child be left in a dangerous situation pending Tusla intervention. It is not the responsibility of school personnel to assess, investigate or to make enquiries of parents/carers, and in some cases, it could be counter-productive for them to do so. It is a matter for Tusla to assess and investigate suspected abuse and neglect and determine what action it shall take.

In addition, there may be times when we are required to engage with outside services such as CAMHS or NEPS in order to support a student in their education and wellbeing. At these times, parental permission will be sought for students who are under 18 years old.

Additional information for students under 18 years of age:

All information regarding concerns of possible child abuse or neglect should be shared only on a 'need to know' basis in the interests of the child. Children First: National Guidance for the Protection and Welfare of Children 2017 states that it is good practice to inform the parent/carer that a report is being made and the reasons for the decision to make the report. However, Children First National Guidance 2017 also notes that it is not necessary to inform a parent/carer that a report is being made because:

(a) if by doing so, the child will be placed at further risk

b) in cases where the family's knowledge of the report could impair Tusla's ability to carry out a risk assessment

(c) if the reporter is of the reasonable opinion that by doing so it may place the reporter at risk of harm from the family. Where there is any doubt as to whether to inform a parent/carer that a report is being made concerning his or her child the advice of Tusla shall be sought.

Confidentiality and students over 18 years of age

It is recognised that some schools may also cater for adult pupils with additional vulnerabilities. Where a vulnerable adult may have been, is being, or is at future risk of being abused or neglected - the advice of the HSE, or if necessary, An Garda Síochána should be sought. Further information in relation to the safeguarding of vulnerable adults is available on the website of the HSE www.hse.ie.

Provision for remote guidance sessions during Covid-19

MPETSS can provide a continuity of guidance counselling to the school community during periods of remote learning. School management should notify all parents/ guardians confirming that during school closure due to Covid-19, all students will have access to individual supports from teachers, support teams and the Guidance Counsellor, where appropriate. Parents/guardians should be informed that these services are available and can be invited to contact the school directly should they wish to discuss the provision of such supports.

The school Learning Management Support system Microsoft Teams will be used in order to plan, schedule and deliver one-to-one meetings and classroom guidance. A record of every one-to-one guidance counselling meeting must be kept by the Guidance Counsellor and stored appropriately in line with normal professional practice.

Links between this policy and other policies

This Confidentiality and Consent Policy should be read in conjunction with the following school's policies:

- Positive Behaviour Policy
- Child Protection Policy
- Relationships and Sexuality Education Policy
- Anti-Bullying Policy
- Acceptable Usage Policy
- Referral Policy
- Admissions

Links to these policies are found on the school website www.mpetss.ie

Record keeping

Our school recognises the importance of record keeping. Our school keeps records in accordance with Appendix 4 of the DES Child Protection Procedures in Primary and Post-primary (2017). All school records and data pertaining to students and parents/guardians are regarded as highly confidential and are stored in line with are stored in line with GDPR procedures (2018).

Communicating the limits to confidentiality with staff

The limits to all staff-student confidentiality are made clear to the staff on an annual basis at the beginning of the academic year. Staff should consult a member of management if they have any questions or concerns about our school's confidentiality policy.

Communicating the limits to confidentiality with students and parents/guardians

The limits to all staff-student confidentiality are made clear to students & parents/guardians in our school in the following ways:

• Parents/Guardians sign a 'Confidentiality Agreement' when a student first registers as a student in the school.

• Students are reminded about confidentiality where necessary throughout the school year.

• A 'limits to confidentiality' sign is on display in the Guidance Counsellors office. There are limits to confidentiality within our school. Under circumstances where an individual is at risk of significant harm, a duty exists on the part of those with information to alert others to the risk perceived.

What to do when an issue arises

Information and guidelines as to how to respond to any issue presented to a staff member can be found here https://www.education.ie/en/schools-colleges/information/child-protection. Tusla the Child and Family Agency and An Garda Síochána are the two key authorities. Tusla the Child and Family Agency has a duty to assess reports regarding a child's welfare or safety. The specific focus of An Garda Síochána is on the investigation of alleged offences and whether a crime has been committed.

Responsibilities in relation to the policy

The following staff members are involved in the development, implementation and review of the policy:

• Principal Aoife Kelly-Gibson

• Deputy Principal Anne Grills

• Guidance Counsellor Caitriona Rosell

• Student Support Team

Accessibility

This policy is available on the school website, the Guidance folder and the Staff Online Team.

SSE

Our school is aware that when conducting a Whole School Evaluation, Department inspectors seek evidence to confirm that a school is complying with the requirements of the Child Protection Procedures for Primary and Post-Primary Schools 2017.

This confidentiality policy is written in the context of contemporary legislation and other relevant publications:

Child Care Act 1991

Children First Act 2015

Children First Guidelines 2017

Child Protection Procedures for Primary and Post Primary Schools 2017

GDPR Guidelines 2018

NCGE Support Information for Guidance Counsellors in Schools (Covid-19 School Closures 2020)

Date policy ratified by BOM:

Date for review of policy:

Signed: _____ Signed: _____

Chairperson of Board of Management Principal