



Confidentiality & Consent Policy

Coláiste De Lacy

Version 1: 2022



Table of Contents:

- 1. Introduction**
- 2. Mission Statement – Coláiste De Lacy**
- 3. Policy Rationale**
- 4. School Context and Ethos.**
- 5. Scope of policy**
- 6. Definition of Confidentiality**
- 7. Confidentiality and staff**
- 8. Online Supports and Confidentiality**
- 9. Additional information for learners under 18 years of age**
- 10. Confidentiality and learners over 18**
- 11. Links to other school policies**
- 12. Record Keeping**
- 13. Communicating the limits of confidentiality with staff**
- 14. Communicating the limits of confidentiality with students, parents, guardians and carers**
- 15. What to do when an issue arises**
- 16. Responsibilities in relation to the policy**
- 17. Accessibility**
- 18. School self- evaluation and the school improvement plan**
- 19. Monitoring and Review**
- 20. Appendices**



1. Introduction

Schools operate in an environment where relationships, records and information are part of the background to their curricular and academic functions. An effective school exists in an environment of positive relationships, where the support and care of students enables their optimal development, and where learning environments have been established in which the professional work of the teacher may be optimised.

In certain relationships within schools, such as that which exists in the work of a guidance counsellor, confidentiality is an ethical principle, adhered to under a code of professional ethics, that enables the creation of an environment of trust in which information may be shared. Similarly, some lessons in curricular areas related to human development are conducted in the context of “ground rules” or agreements that are made to enable more frank discussion without undue encroachment on students’ privacy. In addition, in the daily interactions of staff and students, it is inevitable that personal information is in circulation.

2. Mission Statement – Coláiste De Lacy

Coláiste De Lacy is a community of learners and leaders working together in a safe and inclusive learning environment that fosters positive relationships, good learning habits, growth mind-set, respect, and personal growth for all. Through the combined effort of our whole school community, we aim to nurture curious minds, caring hearts and responsible citizens.

3. Policy Rationale

The purpose of our school’s confidentiality policy is as follows:

- to outline and clarify information and procedures around confidentiality for all stakeholders within our school community
- to outline how information about other people should be treated by those who learn and work in schools.

This policy outlines all aspects involved in confidentiality within the school and should be read in conjunction with other school policies.

4. School Context and Ethos.

Coláiste De Lacy is a co-educational, multi-denominational post-primary school located in Ashbourne, Co Meath. The school was established in 2014 and operates under the patronage of the Louth Meath Education and Training Board (hereafter referred to as LMETB). As such, it operates within the regulations laid down



by the Department of Education (hereafter referred to as the DE) and LMETB. The school provides the curricular programmes of the DE, which may be amended from time to time in accordance with Sections 9 and 30 of the Education Act (1998).

Coláiste De Lacy is a school of academic excellence and as such, it implements a modern and innovative approach to teaching and learning. It aims to provide the best educational experience and developmental opportunities for its students. There is a particular focus on teaching and learning for everyone (*Ag foghlaim le chéile*). Students are encouraged to strive for excellence in a happy, supportive, positive, caring and challenging environment. The Coláiste De Lacy values include: effort, hard work, respect, positivity, personal responsibility, integrity and kindness. educational school.

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

5. Scope of policy

This policy applies to all students (under and over the age of 18 years), all staff, parents/guardians, visitors and the *Student Support Team* (SST). The boundaries of confidentiality will be part of every subject and particularly embedded in SPHE and RSE lessons.

6. Definition of Confidentiality

Confidence:

“No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.”

(Article 12, The Universal Declaration of Human Rights)

Confidence is both a privilege and a duty. People of all ages may expect adherence to, and are expected to adhere to, the principle that issues of a private nature, and issues discussed in private, should not be divulged to others without valid consent.

However, there are limits to confidentiality in schools with regards to safety and child safeguarding.



7. Confidentiality and staff

The safety and welfare of children is the key principle underlying all decision making within our school in line with the Child Care Act 1991 and the Children First Act (2015). Coláiste De Lacy adopts a student-centred approach to education. Support of students is at the core of everything in the school. The *Children First Guidelines (2017)* are applied in the school as appropriate. All staff members must be aware that absolute confidentiality cannot be guaranteed. In supporting students, all stakeholders must be aware of the limits to confidentiality. This includes a legal obligation to share information as follows, 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); Janice Uí Bheoláin, Principal
- (II) The Deputy Designated Liaison Person (DDLDP); Barry O'Higgins, Deputy Principal
- (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. Contact details for offices are listed below. This information can also be found at <https://www.tusla.ie/services/child-protection-welfare/contact-a-social-worker>.

Tusla Contact Details (Meath):

Child and Family Agency,
Meath Enterprise Centre,
Trim Road,
Navan,
Co Meath
046 9098560

Tusla Contact Details (North Dublin):

Child and Family Agency,
180-189 Lakeshore Drive,
Airside Business Park,
Swords,
Co. Dublin
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 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 or 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.

8. Online Supports and Confidentiality

The same parameters for confidentiality apply in an online setting (such as during emergency school closures) as in the formal school setting. Sensitive issues and disclosures will be discussed and dealt with in the same way online as they would be in a face-to-face school context.

It is important that the same guidelines are adhered to for online support as would be in place for support in the formal school context.

Students are made aware of acceptable internet usage policy and guidelines regarding acceptable behavior online.

9. Additional information for learners 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/care-giver 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/care-giver that a report is being made:

- (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/guardian/carer that a report is being made concerning his or her child the advice of Tusla shall be sought.

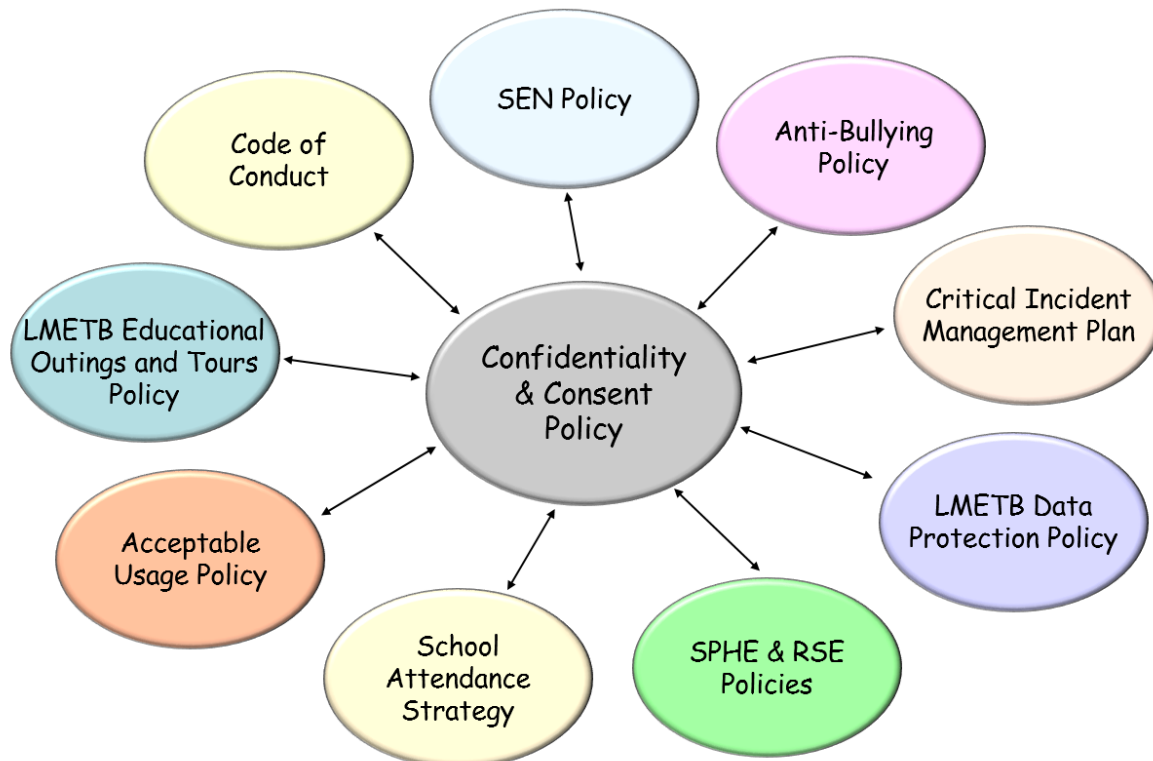
10. Confidentiality and learners over 18

In some cases, the school may cater for students over 18 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

11. Links to other school policies:

This confidentiality policy should be read in conjunction with the relevant schools and patrons policies, for example but not limited to:



12. Record Keeping

Coláiste De Lacy recognises the importance of record keeping and 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 (2018) procedures.

13. Communicating the limits of confidentiality with staff

The importance of and limitations to all staff-student confidentiality are presented by the Guidance Counsellor to all staff on an annual basis. Child safeguarding is a standard item on staff meeting agendas and staff are regularly reminded of their roles and responsibilities by the DLP/DDLP. Staff should consult the Principal if they have any questions or concerns about our school's confidentiality policy. Confidentiality is maintained within the Student Support Team (weekly meetings).



14. Communicating the limits of confidentiality with students, parents, guardians and carers

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

- Students are informed about confidentiality during the Guidance Module in the first year Wellbeing Taster Programme
 - This message is repeated regularly in SPHE/ RSE lessons and whenever appropriate in other lessons
 - 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"

15. What to do when an issue arises

Any member of staff who has a concern regarding child safeguarding or the implementation of this policy, should speak to with Principal/DLP.

16. Responsibilities in relation to the policy

This policy was developed by the school guidance counsellor, *Student Support Team, Assistant Principals, Deputy Principals and Principal*. The consultative process also involved staff, students, the Parents Association and the Board of Management. The Board of Management proposed the policy for full ratification by LMETB.

It is the responsibility of all staff to implement this policy and all related policies. All school staff are aware of their responsibilities in accordance with the "*Child Protection Procedures for Primary and Post-Primary Schools 2017*" (DES, 2017).

17. Accessibility

This policy is located on the school website under, "Documents / School Policies", on the Whole School Guidance Plan channel on the staff MS Team, and a hardcopy can be accessed from the office by emailing colaistedelacy@lmetb.ie.



18. School self- evaluation and the school improvement plan

Coláiste De Lacy 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.

19. Monitoring and Review

This policy will be monitored and reviewed as necessary, as well as the start of every new academic year.

20. Appendices:

- i) Consent form to attend one to one Guidance Sessions
- ii) Confidentiality and consent checklist



Appendix I Consent Form to attend Confidential One to One Guidance Sessions

Coláiste De Lacy

The whole-school guidance programme in this school aims to provide a safe environment for each student to grow and to develop their personal, social, careers, educational and life choices.

Where appropriate, guidance counsellor(s) provide a confidential one-to-one guidance counselling service to students. In this context the guidance counsellor may discuss a range of careers, educational, personal and / or social development issues.

If your son/daughter wishes to meet the guidance counsellor on a one-to-one basis at any stage throughout their time in the school your permission is required.

Our school policy on confidentiality is accessible at: <https://www.colaistedelacy.ie/>

Our school policy on confidentiality is informed, among others, by the General Data Protection Regulations (GDPR) and the Children First Guidelines (2017).

To be completed by parent / guardian and returned for attention of the school Principal (INSERT INTO DIALANN???)

Name of Student:

Year:

Name of Parent / Guardian:

I give my permission for the student named above to meet with school guidance counsellor(s) one one-to-one basis in keeping with the School's mission of support for students and in the context of the School's whole- school guidance programme.

Signature (of parent / guardian):

Date:



Appendix II Confidentiality Checklist for Schools

	Tick
We have a written school policy on Confidentiality and Consent	
The policy is informed by the General Data Protection Regulations (GDPR) (2018)	
The policy is informed by Children First Guidance (2017) guidelines	
The policy is accessible by all	
All school staff members been informed of the policy on confidentiality and consent	
All school staff members are aware of the boundaries / limits of confidentiality in the whole-school context in the guidance counselling context	
Students are informed of the policy (as appropriate)	
The policy includes informed consent information for students	
Parents/guardians have been informed of the content of the policy	
The policy includes informed consent information for parents	
A copy of the policy is clearly visible in the guidance counsellor's office	
The school admission process includes a consent form for parents/guardians	
Provision is made in the policy for students under 18 years of age	
Provision is made in the policy for students over 18 years of age	

Date: _____