

# **PCA Confidentiality Policy**

**May 2021**



<b>School Name:</b>	Presentation College Athenry
<b>Purpose:</b>	<p>The purpose of our school’s confidentiality policy is to outline and clarify information and procedures around confidentiality for all stakeholders within our school community.</p> <p>This policy outlines all aspects involved in confidentiality within the school and should be read in conjunction with other school policies.</p>
<b>Context:</b>	<p>Presentation College Athenry is a voluntary secondary school which is predominantly Catholic in character not in any sectarian sense but in the expression of our Christianity through our Catholic faith. As a school community we commit ourselves to hand on our Christian faith and Christian values</p> <ul style="list-style-type: none"> <li>• by fostering a love of God in one another through our daily prayers, symbols, rituals and example;</li> <li>• by cherishing all our members equally regardless of religious affiliation or cultural differences;</li> <li>• by helping one another to realise our full potential and to become responsible members of society;</li> <li>• by promoting a sense of personal value, mutual respect and self discipline;</li> <li>• by encouraging each other to share in the responsibility of running the school;</li> <li>• by seeking to discern those most in need among us and responding to them.</li> </ul> <p>The challenge is ours today to allow the love of god to touch our hearts so that we will find our true meaning and purpose in life.</p> <p>This confidentiality 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.</p>
<b>Confidentiality &amp; the role of staff:</b>	<p>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)</p> <p>Our school adopts a student-centred approach to education.</p>

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 student of our school, 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) in our school is:

Mr. Cathal Moore Principal

(ii) The Deputy Designated Liaison Person (DDL) in our school is:

Mr. Brendan McHugh 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 to the by contacting the local social work office via the details below:

Child and Family Agency,

25 Newcastle Road,

Galway

091 546235

In cases where school personnel have a concern about a child but are not sure whether to report the matter to Tusla, the designated liaison person 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.

<p>Additional information for learners under 18 years of age:</p>	<p>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.</p> <p>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 -</p> <ul style="list-style-type: none"> <li>(a) if by doing so, the child will be placed at further risk</li> <li>(b) in cases where the family's knowledge of the report could impair Tusla's ability to carry out a risk assessment</li> <li>(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.</li> </ul> <p>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.</p>
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<p>Confidentiality and learners Over 18:</p>	<p>It is recognised that some schools may also cater for adult pupils with additional vulnerabilities.</p> <p>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.</p> <p>Further information in relation to the safeguarding of vulnerable adults is available on the website of the HSE <a href="http://www.hse.ie">www.hse.ie</a></p>
<p>Links between this policy and other policies:</p>	<p>This confidentiality policy should be read in conjunction with the School's policies on;</p> <p>PCA Code of Behaviour June 2019  Admission Policy - September 2020  PCA Data Protection Policy 2017  PCA Website Privacy Statement  Careers and Guidance Assessment Instruments Policy  Child Safeguarding Statement 2020  Anti Bullying Policy 2018</p> <p>Available to view at <a href="http://presathenry.ie/download-policies.html">http://presathenry.ie/download-policies.html</a></p>
<p>Record keeping:</p>	<p>Our school recognises the importance of record keeping.</p> <p>Our school keeps records in accordance with Appendix 4 of the DES Child Protection Procedures in Primary and Post-primary (2017)</p> <p>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.</p>
<p>Communicating the limits to confidentiality with staff</p>	<p>The limits to all staff-student confidentiality are made clear to the staff on an annual basis at the first staff meeting of the year.</p> <p>Staff should consult a member of management if they have any questions or concerns about our school's confidentiality policy</p>
<p>Communicating the limits to confidentiality with students and parents/guardians</p>	<p>The limits to all staff-student confidentiality are made clear to students &amp; parents/guardians in our school in the following ways:</p> <p>Parents/Guardians sign a 'Confidentiality Agreement' when a student first registers as a student in the school.</p> <p>Students are reminded about confidentiality at their first</p>

assembly of every 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.

<p>What to do when an issue arises:</p>	<p>The schools Child Safeguarding Statement provides information and guidelines as to how to respond to any issue presented to a staff member.</p> <p>TUSLA the Child and Family Agency and An Garda Síochána are the two key authorities.</p> <p>TUSLA the Child and Family Agency has a duty to assess reports regarding a child's welfare or safety.</p> <p>The specific focus of An Garda Síochána is on the investigation of alleged offences and whether a crime has been committed.</p>	
<p>Responsibilities in relation to the policy:</p>	<p>This policy has been authored by Mr. Paul Courtney. Guidance Counsellor.</p> <p>This policy has been reviewed by the BOM in May 2021.</p> <p>This policy has been implemented by the BOM in May 2021.</p>	
<p>Accessibility:</p>	<p>This policy is available to view online at</p> <p><a href="http://presathenry.ie/download-policies.html">http://presathenry.ie/download-policies.html</a></p>	
<p>Date policy ratified by BOM:</p>		
<p>Date for review of policy:</p>		
<p>SSE</p>	<p>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.</p>	



## References / relevant documents and information

### Confidentiality and Consent in Guidance in Schools

Provision of guidance counselling in the school is guided by various national guidelines, codes of ethics and good practice guidelines. Please see links below to relevant guidelines.

- [Guidelines for second-level schools on the implications of Section 9\(c\) of the Education Act 1998, relating to students' access to appropriate Guidance \(2006\)](#)
- [National Guidance Forum report \(Page 20\)](#)
- [Counselling Competencies statement of the Directors of Studies in Guidance Counselling](#)
- [Children First National Guidance for the Protection and Welfare of Children \(2017\)](#)
- [Child Protection and Welfare Practice Handbook](#)
- [Data protection in schools](#)

### Examples of codes of ethics

Blanche, G, Fitzgerald, J. and Marnell, R. (2003). Ethical practice guidelines for CDVEC guidance counsellors and psychologists (Second Edition). Dublin: City of Dublin Vocational Education Committee.

[IGC code of ethics](#)

### Confidentiality Policy - Template

- [Education Act \(1998\)](#)
- [The Child Care Act \(1991\)](#)
- [Children First Act \(2015\)](#)
- [Contacting Tusla](#)
- [Overview of the GDPR for primary and post-primary schools in Ireland](#)
- [Department of Education and Skills \(2017\) Child Protection Procedures in Primary and Post-primary](#)
- [Children First National Guidance for the Protection and Welfare of Children \(2017\)](#)
- [Department of Education and Skills – Information relating to Child Protection](#)

### National Ireland Guidance Forum Report (2007)

- [Guidance for Life: An integrated framework for lifelong guidance in Ireland](#)
- [Quality in Guidance Report](#)