Teaching Assistant
Communication & Professional Relationships with Children, Young Individuals & Adults.
Justify the kinds of situation when confidentiality protocols must be breached

Because of the limited nature of confidentiality in schools, there are some situations where confidential information will need to be shared with others. 'Others' may refer to external professionals who visit the school, the Police, the child's parents, social services, or other teachers.

Breaching the standard confidentiality protocols should only be done where there the safety, protection, and well-being of a pupil is at risk if confidentiality is kept. In these cases, school staff should be able to refer to the school's child protection policy and other relevant documentation designed to assist with decision-making around confidentiality.

Risky behaviour and coercion

Sometimes pupils may disclose information about risky behaviour, illegal behaviour, or sexual relationships, and it may be difficult to tell whether there has been coercion or abuse involved or not. Sex and relationship education is designed to help children tell the difference between loving relationships and abusive ones, and sometimes this education can lead to a child realising that they have been abused in some way and telling this to a member of staff.

This is a situation where confidentiality would have to be breached in order to ensure that the child is able to obtain support if necessary, and to ensure their safety going forward. However, in breaching confidentiality, there will be set ways in which this is done, and you should familiarise yourself with the standard protocols before proceeding.
Reasons for breaching confidentiality.

A general child protection approach
Under circumstances where a disclosure or similar takes place that constitutes evidence that the child or another child may be suffering, or is at risk of suffering significant harm; or where it becomes apparent that there is a need to prevent significant harm to a child, school staff and other workers can justify the need to share the confidential information that has been given to them.

Consent should be sought in most circumstances, including from the child or young person themselves, and their parents; however, in certain circumstances, consent should not be sought.
These circumstances include situations where the child or young person would be placed at an increased risk of significant harm (for example, if the parents are the apparent originators of abuse). Further circumstances where a breach without consent would be acceptable and lawful include where a serious crime, or where the prevention, detection or prosecution of one would be prejudiced by withholding the confidential information, and where an unjustified delay in making necessary enquiries about allegations of significant harm to a child might occur if the confidential information is withheld.

**Ensure that everyone knows the limits of confidentiality**

Ultimately, the best way to approach all of these situations is to ensure that pupils and parents are all aware that confidentiality at school is limited due to legal and duty of care constraints, and that it will be shared with relevant persons only under circumstances where it is judged that a child's best interests will be best met this way.

This means that right at the start of any conversation that has taken a confidential turn, you must tell the pupil or parent that you won't be able to maintain confidentiality if they tell you something that you cannot keep to yourself for legal or duty of care reasons.

**Did you know?**

Due to the Government legislation and papers written around the Victoria Climbié case, it would be easy to think that all those issues that were raised have now been resolved. However, in 2007 (Baby P – Peter Connolly), and 2011 (Daniel Pelka), further high-profile cases of abuse, neglect, murder, and death were brought to the attention of the courts, with quite similar failings of the services involved, and there have been many more that have happened since, but which have not had the same amount of public disclosure. It is clear, therefore, that the well-being of children is still the number one priority for those who work with them.