

The Cornwall Independent School

CONFIDENTIALITY AND INFORMATION SHARING POLICY

This document which applies to the whole school, including the Early Years Foundation Stage (EYFS) Reception class and Key Stages 1 to 4. It is available on request from the School Office and can be made available in large print or other accessible format if required, from the School Office.

We have a whole school approach to safeguarding, which is the golden thread that runs throughout every aspect of the school. All our school policies support our approach to safeguarding (child protection). The safety, welfare and wellbeing of our pupils is our paramount consideration at all times.

Scope: This policy is a live document that is sensitive to our working practices and is subject to change according to the needs of The Cornwall Independent School (TCIS). All who work, volunteer or supply services to our school have an equal responsibility to understand and implement this policy and its procedures both within and outside of normal school hours, including activities away from school. All employees and volunteers are required to state that they have read, understood and will abide by this policy and its procedural documents and confirm this by signing the *Policies Register*.

Legal Status: This policy complies with the Education (Independent School Standards) (England) Regulations 2014, as amended, and other statutory and best practice guidance currently in force, including in particular:

- [Education Act 2002, sections 157 and 175](#) (duty to safeguard and promote the welfare of children, including in independent schools).
- [The Education \(Independent School Standards\) \(England\) Regulations 2014 \(SI 2014/3283\)](#), as amended — in particular Standard 7 (welfare, health and safety, including safeguarding), Standard 33 (complaints) and Standards 16A and 32A (recording and reporting of seclusion and restraint, inserted by the schools (Recording and Reporting of Seclusion and Restraint) (No. 2) (England) Regulations 2025).
- [Independent School Standards: Guidance for Independent Schools](#) (Department for Education, April 2026), in particular paragraphs 7.3–7.5 (data protection complaints, Standard 33) and the safeguarding-related paragraphs cross-referenced throughout this policy.
- [Keeping Children Safe in Education](#) — statutory guidance for schools and colleges (Department for Education, September 2026) (“KCSIE”).
- [Working Together to Safeguard Children](#) (HM Government, 2026).
- [Children Act 1989, in particular sections 17 and 47](#).

[Children Act 2004, in particular sections 10–11](#) (co-operation to improve wellbeing) and sections 16E–16G (safeguarding partners’ arrangements and power to request information), as amended by the Children and Social Work Act 2017.

Monitoring, Review and Adaptation: The text of this policy is **necessary** and proportionate to meet the needs of The Cornwall Independent School, supporting those who work with our pupils, **making clearer** the responsibilities of school staff, volunteers, proprietor and the Governing Advisory Body. These arrangements are subject to continuous monitoring, refinement, and audit by the Headteacher. The Governance Advisory Body is committed to regularly reviewing and updating our policies to ensure they remain relevant and effective in supporting our school's mission and values, inclusive of its implementation and the efficiency with which the related duties have been implemented. This review will be formally documented in writing. Any deficiencies or weaknesses recognised in arrangements or procedures will be remedied immediately and without delay. All staff will be informed of the updated/reviewed arrangements, and it will be made available to them in writing or electronically.

The Policy Owner is Mrs Rebecca Stevens, supported by the Education and Compliance Officer.

Reviewed: September 2026

Next Review: September 2027 (or sooner, to reflect any material change in statutory or best practice requirements)



Miss Louise Adams
Headteacher



Mrs Carol de Labat
Governance Advisory Board Agent for Safeguarding

Related Documents: This policy should be read in conjunction with the following School policies and documents, all of which are available from the School Office or the School website:

- Safeguarding (Child Protection) Policy
- Data Protection Policy
- Records Retention Policy
- Complaints Policy
- Online Safety, Acceptable Use and Cyber-Security Policy
- Mobile Phone Policy
- Artificial Intelligence (Generative AI) Use Policy
- Restrictive Interventions Policy (Seclusion, Restraint and Reasonable Force)
- Searching, Screening and Confiscation Policy
- Behaviour Policy
- Anti-Bullying Policy
- Relationships and Sex Education (RSE) and Health Education Policy
- Gender Questioning Pupils Guidance
- Single Equality Policy
- Race Equality Policy
- Preventing Extremism and Radicalisation (Prevent) Policy
- Whistleblowing Policy
- Low-Level Concerns Policy
- Staff Code of Conduct
- Safer Recruitment Policy
- Attendance Policy
- Supporting Pupils with Medical Conditions and Allergies Policy
- Mental Health and Wellbeing Policy
- SEND Policy and Accessibility Plan
- EYFS Policies: Use of Mobile Devices and Cameras; Missing Child; Non-Collection of Children

Aims and Objectives: This policy provides guidance and information on our confidentiality procedures in the school for staff, pupils, parents/carers and the Governance Advisory Board alongside how we share information, both internally and with external agencies.

Rationale – we believe that:

- The safety, well-being and protection of our pupils are the paramount consideration in all decisions members of staff make about confidentiality. The appropriate sharing of information between school staff members is an essential element in ensuring our pupils' wellbeing and safety.
- It is an essential part of the school ethos of our school that trust is established to enable pupils, staff and parents/carers to seek help, both within and outside the school and minimise the number of situations when personal information is shared to ensure pupils and staff are supported and safe.
- Pupils, parents/carers and members of staff need to know the boundaries of confidentiality that can be offered by individuals in order to feel safe and comfortable in discussing personal issues and concerns, including sex and relationships.
- The school's attitude to confidentiality is clearly stated in this policy.
- All staff should be able to trust the boundaries of confidentiality operating within the school, as defined in this policy.
- Everyone in the school community needs to know that no one can offer absolute confidentiality to a pupil if there are child protection concerns. Issues concerning personal information including sex and relationships and other personal matters can arise at any time.
- Everyone in the school community needs to know the limits of confidentiality that can be offered by individuals within the

school community, 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.

Confidentiality Definition: The dictionary definition of 'confidentiality' is: *"something which is spoken or given in confidence; private, entrusted with another's secret affairs"*.

- In practice, there are few situations where absolute confidentiality is offered in our school. We have tried to strike a balance between ensuring the safety, wellbeing and protection of our pupils and staff, ensuring there is an ethos of trust where pupils and staff can ask for help when they need it and ensuring that when it is essential to share personal information, child protection procedures and good practice are followed.
- This means that in most cases what is on offer 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.

The general rule is that staff should make 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 pupil will be informed when a confidence has to be broken for this reason and will be encouraged to do this for themselves whenever this is possible.

Moral and Values Framework: The Confidentiality Policy at The Cornwall Independent School reflects the school ethos and demonstrates and encourages the following values:

- Respect for self;
- Respect for others;
- Responsibility for their own actions;
- Responsibility for their family, friends, school and the wider community.

Policy Statement: This school operates in a way that respects every individual and family's right to privacy. All our staff and visitors are therefore expected to work within the guidelines of this policy which conform to recent legislation and government guidelines, and which protect confidentiality. In practice this means:

- making it clear that gossip is discouraged;
- keeping personal records of behaviour confidential;
- not discussing pupil or family personal matters in a general way;
- using teaching methods which protect confidentiality;
- always encouraging pupils to talk to their parents or carers about any anxieties they may have, while at the same time offering support for individuals and families.
- Never inputting identifiable pupil or staff information into public or unapproved online tools, including generative artificial intelligence tools (see Section 20).

Roles and Responsibilities: While confidentiality and safe information sharing are everyone's responsibility, the following roles carry particular duties under this policy:

The Governance Advisory Board and Proprietor

Ensure that the school has an effective policy and procedures for confidentiality and information sharing, that these are kept up to date, and that the Headteacher and DSL are supported and held to account for their implementation.

The Headteacher

Has overall responsibility for the implementation of this policy, for ensuring staff are trained, and for authorising disclosures to the media or in exceptional or contested circumstances not covered elsewhere in this policy.

The Designated Safeguarding Lead (DSL) and Deputy DSLs

Act as the first point of contact for staff on all matters of pupil confidentiality and information sharing; take the lead on decisions to share information with or without consent for safeguarding purposes; manage the child protection file and its secure transfer; and liaise with other DSLs, the local authority and safeguarding partners.

The Data Protection Officer (DPO)

Advises the School on compliance with UK GDPR and the Data Protection Act 2018, including the lawful basis for sharing information, data protection complaints under section 164A of the Data Protection Act 2018, and liaison with the Information Commissioner's Office (ICO) where required. The DPO's contact details are published in the school's privacy notices and Data Protection Policy.

All Staff, Supply Staff and Volunteers

Must understand and apply the principles in this policy, must never promise absolute confidentiality to a pupil, and must report any safeguarding concern or disclosure to the DSL (or a deputy) as soon as practicably possible.

Pupils and Parents/Carers

Are entitled to understand the limits of confidentiality that the school can offer, as set out in this policy, and to know how and why their personal information may be shared.

Data Protection Principles and the Lawful Basis for Sharing Information:

Confidentiality does not exist in a legal vacuum: it operates within the framework of the UK GDPR and the Data Protection Act 2018 (as amended by the Data (Use and Access) Act 2025), the common law duty of confidentiality, and Article 8 of the Human Rights Act 1998. Staff must remember that data protection law and human rights law are not barriers to justified information sharing: they provide a framework to ensure personal information is shared appropriately (KCSIE, paragraphs 143–146).

When processing personal data, the school applies the UK GDPR principles: personal data must be processed lawfully, fairly and transparently; collected for specified, explicit and legitimate purposes; adequate, relevant and limited to what is necessary; accurate and kept up to date; kept for no longer than necessary; and processed securely. The School is accountable for demonstrating compliance with these principles.

Most safeguarding-related sharing of pupil information relies on the "public task" lawful basis (UK GDPR, Article 6(1)(e)) and, for special category data (such as information about a pupil's health, ethnicity, religion or sexual life), on the condition in Schedule 1, Part 2, paragraph 18 of the Data Protection Act 2018: the "safeguarding of children and individuals at risk" condition. This allows staff to share special category personal data without consent where:

- it is not possible to obtain consent;
- it cannot reasonably be expected that a member of staff would obtain consent; or
- obtaining consent would place a child at risk.

Governing bodies and proprietors must ensure that staff have due regard to these processing conditions, which allow them both to share and, in limited circumstances, to withhold personal information (KCSIE, paragraph 144). One such circumstance is the "serious harm test": for example, where a pupil is in a refuge or other emergency accommodation and disclosure would place them at risk of significant harm, the school must withhold that pupil's personal data. Staff should seek advice from the DSL and, where necessary, independent legal advice, if they are unsure whether the serious harm test applies. The Data Protection Policy sets out in full the school's lawful bases for processing, retention periods and the role of the DPO. This section summarises only what staff need to know to make day-to-day confidentiality and information-sharing decisions.

The Seven Golden Rules for Sharing Information: The following golden rules, drawn from the Department for Education's Information sharing: advice for practitioners, underpin every information-sharing decision made in the school:

1. Remember that data protection law and human rights law are not barriers to justified information sharing but provide a framework to ensure personal information is shared appropriately.
2. Be open and honest with the pupil (and/or their family, where appropriate) from the outset about why, what, how and with whom information will, or could, be shared, and seek agreement wherever it is safe and appropriate to do so.
3. Seek advice from the DSL, a deputy, or another appropriate professional if there is any doubt about sharing information, without disclosing the identity of the person where possible.
4. Share with informed consent where appropriate; where consent is refused, or cannot be obtained, staff may still share information if, in their professional judgement, there is good reason to do so — for example, where a child's safety may be at risk.
5. Consider the safety and wellbeing of the pupil and others who may be affected by their actions when deciding whether, and how, to share information.
6. Ensure that the information shared is necessary for the purpose, is shared only with those who need it, is adequate and accurate, is shared in a timely way, and is shared securely.
7. Keep a record of the decision and the reasons for it, whether or not information is shared. If shared, record what was

shared, with whom, and why.

Use of Artificial Intelligence and Confidential Information: Generative artificial intelligence (AI) tools are increasingly used in schools, and KCSIE 2026 addresses both the safeguarding risks AI poses to pupils and the legal responsibilities of schools and staff when using it. Staff must never enter identifiable pupil or staff personal data, safeguarding information, or other confidential School information into a public or unapproved generative AI tool, since this may result in an uncontrolled and irreversible disclosure of personal data to a third party. Only School-approved, appropriately contracted AI tools, used in accordance with the AI (Generative AI) Use Policy and the Online Safety, Acceptable Use and Cyber-Security Policy, may be used, and only in ways consistent with this policy and the Data Protection Policy. Any use of AI to generate or analyse content involving real pupils must be treated with the same confidentiality safeguards as any other pupil record.

Confidentiality, Equality and Gender Questioning Pupils: Information about a pupil's gender identity, or about a pupil who is gender-questioning or socially transitioning, is particularly sensitive personal information and is treated with the same safeguarding-led confidentiality principles as any other sensitive disclosure, together with the "very careful approach" required by KCSIE 2026. As with any other safeguarding matter, staff must not promise absolute confidentiality. In line with KCSIE 2026, the involvement of parents/carers is the default position in the vast majority of cases, particularly at primary level, unless doing so would put the pupil at risk of harm. Any decision about whether, and how, to share information relating to a pupil's gender questioning is made and documented by the DSL, together with the Headteacher, with a clear rationale that reflects the best interests of the individual pupil and the wider pupil community, and takes account of the Equality Act 2010, including the protected characteristic of gender reassignment and, following *For Women Scotland Ltd v The Scottish Ministers* [2025] UKSC 16, the meaning of "sex" under that Act. Full detail is set out in the Gender Questioning Pupils Guidance, the Safeguarding (Child Protection) Policy and the RSE Policy, which must be read alongside this policy.

Confidentiality and Restrictive Interventions: Where a restrictive intervention (seclusion or restraint, including non-contact restraint) takes place, it is recorded in line with the Restrictive Interventions Policy and Standards 16A and 32A of the Education (Independent School Standards) (England) Regulations 2014. These records — including the pupil's name, SEND status and relevant needs, and details of the incident — are confidential safeguarding records, stored and shared in line with this policy and the Records Retention Policy.

Reporting the incident to the pupil's parents/carers, as soon as practicable and normally in writing, is a required and lawful disclosure under Standard 32A, save in the limited circumstances where the pupil is aged 20 or over, or where the school reasonably believes that providing the information is likely to cause the pupil significant harm, in which case the local authority is notified instead. Any use of a restrictive intervention, and any related information sharing, is also recorded under section 93A of the Education and Inspections Act 2006 where that duplicate duty applies; the two records are not duplicated.

Personal Disclosures: Pupils will be made aware that some information cannot be held confidentially and made to understand that if certain disclosures are made, certain actions will ensure. At the same time, pupils will be offered sensitive and appropriate support. Procedures outlined in the school's Safeguarding Child Protection Policy will be adhered to by all adults upon the occasion of disclosure by a child or suspicion of possible abuse.

Confidentiality in the Classroom: All teaching will be done in a way that reaffirms respect for everyone in, school and associated with, the school. The following strategies for maintaining confidentiality will be used in this school:

Setting ground rules: Teaching staff will work with pupils to develop 'ground rules' for lessons and discussions and show why these need to be agreed and respected by everybody. For example:

- no-one will have to answer a personal question or disclose any personal detail;
- everyone has the right to 'pass' on a question if they want to;
- no-one will be forced to take part in a discussion;
- everyone has the right to be listened to and have their views respected;
- no teasing or bullying of any kind;
- if you don't want anyone to know something, talk about it as though it was someone else.

Depersonalising: Teaching staff will protect pupils' privacy in the class by always depersonalising discussions. Pupils can then explore the issues being raised without having their personal lives or those of their families implicated or invaded and 'used' inappropriately by other pupils. For example:

- Use the third person to allow pupils to keep a distance ('If you were Jamie/Sara what would you do?' rather than 'What would you do?')
- Collect answers anonymously on pieces of paper so that pupils can express their feelings without risking exposure.
- collect group ideas without identifying individuals.

Staff must remain aware of their terms of contract and that they cannot promise children absolute confidentiality and must remain aware of their terms of contract and that they cannot promise children absolute confidentiality.

Maintaining confidentiality: Other professionals may need some support in working with groups in a way that protects confidentiality. In a one-to-one setting it is good practice for other professionals to talk to a child personally, to make sure that their concerns are identified, and that they understand the advice they are given. In a classroom setting it is not appropriate to talk directly to individuals about their personal experiences.

One to one disclosures to members of school staff (including voluntary staff): It is essential all members of staff know the limits of the confidentiality they can offer to both pupils and parents/carers (see note below) and any required actions and sources of further support or help available both for the pupil or parent/carer and for the staff member within the school and from other agencies, where appropriate.

All staff at this school encourage pupils to discuss difficult issues with their parents or carers, and vice versa. However, the needs of the pupil are paramount, and school staff will not automatically share information about the pupil with their parents/carers unless it is considered to be in the child's best interests.

(Note: When concerns for a child comes to the attention of staff, for example through observation of behaviour or injuries or disclosure, however insignificant this might appear to be, the member of staff should discuss this with the Designated Safeguarding Lead as soon as is practically possible. More serious concerns must be reported immediately to ensure that any intervention necessary to protect the pupil is accessed as early as possible. Also please refer to the school Safeguarding – (Child Protection) Policy.

The legal position for school staff: The Cornwall Independent School staff (including non-teaching and voluntary staff) should not promise confidentiality. Pupils do not have the right to expect that incidents will not be reported to his/her parents/carers and may not, in the absence of an explicit promise, assume that information conveyed outside that context is private. No member of this school's staff can or should give such a promise.

The safety, well-being and protection of the child is the paramount consideration in all decisions staff at this school make about confidentiality. Staff are NOT obliged to break confidentiality except where child protection is or may be an issue, however we believe it is important staff are able to share their concerns about pupils with colleagues in a professional and supportive way, on a need-to-know basis, to ensure staff receive the guidance and support they need and the pupils' safety and well-being is maintained. School staff should discuss such concerns with the DSL.

Staff must never indicate to a pupil that a disclosure can be made in confidence, as it may not be possible to maintain that confidence once the disclosure is made. Staff must always consider the best interests of the child, including the need both to maintain trust and to safeguard against possible child protection concerns. All staff receive child protection training as part of their induction and must follow the school's child protection policy and procedures, including reading Part One (and the new Annex A) of KCSIE 2026.

Teachers and Support staff should never indicate to a child that the child could make a disclosure in confidence as such a confidence may not be possible once the disclosure has been made. Staff must always consider the best interests of the child including the need to both ensure trust to provide safeguards for the child and ensuing possible child protection concerns. All staff receive training in child protection as part of their induction and are required to follow the schools' child protection policy and procedures.

Visitors and Volunteers: We expect all voluntary staff to report any disclosures by pupils or parents/carers, of a concerning personal nature to the designated safeguarding lead as soon as possible after the disclosure and in an appropriate setting, so others cannot overhear. This is to ensure the safety, protection and well-being of all our pupils and staff. The designated safeguarding lead will decide what, if any, further action needs to be taken, both to ensure the pupil gets the help and support they need and that the member of staff also gets the support and supervision they need.

Other Professionals Working in School: Pupils may come in contact with a number of other professionals within the school. The involvement of these professionals raises a number of confidentiality issues. Reporting a Safeguarding issue can be done through CPOMS, telephone, email or in person

Disclosures to the police: Staff should be aware that delays in the processing of information could have a detrimental effect on a pupil or risk causing a pupil significant harm. Accordingly, police requests, in the course of an investigation, for information regarding a pupil will be honoured. In the interests of confidentiality, disclosures to the police should be limited to the minimum required and should be processed through the DSL.

Under section 29 of the Data Protection Act 2018, personal data may be disclosed to the police, without the data subject's consent, where seeking that consent would be likely to prejudice the prevention or detection of crime, or the apprehension or prosecution of offenders. Any such disclosure should still be recorded in line with section 21 of this policy.

Risk of self-harm: If it appears that a pupil is at risk of self-harm, concerns should be reported to the Designated Safeguarding Lead. It is often sensible to discuss these concerns directly with the pupil. Parents should be consulted and a risk assessment created. Since self-harming activity can vary in its level of immediate danger, discussion with a professional is important to assess what action is needed. Where there are clear indications that the pupil is in imminent and serious danger, 999 emergency services should be contacted. The Designated Safeguarding Lead (DSL) should be consulted as quickly as possible.

Serious crime: Victims of serious crime, including sexual crime may fear reporting the matter to the police. Advice should be sought on how to support victims in such circumstances and on the details of confidential referral routes.

Dealing with the media. No member of staff should speak to the Media. - All Media contact should be referred in the first instance to the Headteacher, who will be careful about speaking to the media and this is particularly so when there is a risk that confidential or sensitive personal data might be inadvertently disclosed

Professional Codes of Conduct: Other professionals – when working with individual pupils – are bound by their professional codes of conduct which tend to give pupils the right to confidentiality, and it would be unreasonable to expect a professional to act outside their professional code within a school setting. Confidentiality, in these situations, should only be breached in exceptional cases and not without first informing the pupil. In a classroom situation, including small group work, the school's policies and procedures apply to professionals.

Parents and Carers: It is essential to work in partnership with parents and carers, and the school endeavours to keep parents/carers informed of their child's progress at school, including any concerns about their progress or behaviour. However, there also needs to be a balance so that pupils can share any concerns and ask for help when they need it. Where a pupil does discuss a difficult personal matter with a member of staff at school, they will be encouraged also to discuss the matter with their parents or carers. Parents and Carers need to be aware that the school can never offer complete confidentiality if there is a chance that someone is at risk of harm.

Filtering, Monitoring and Cyber-Security: Confidentiality online is supported by the School's filtering and monitoring systems, which apply to staff and pupil accounts alike and are reviewed at least once every academic year by a named review team (including the DSL, a governor, a member of the Senior Leadership Team and the School's IT provider), in line with KCSIE 2026 and the DfE's Digital and Technology Standards. Cybersecurity is treated as a safeguarding issue: any cyber-incident that may involve unauthorised access to, or loss of, confidential pupil or staff information is reported to the DSL and the DPO without delay, and handled in line with the Online Safety, Acceptable Use and Cyber-Security Policy and the Data Protection Policy's personal data breach procedure.

When confidentiality should be broken and procedures for doing this: All staff and volunteers are to comply with the Safeguarding (Child Protection) Policy. See the Child Protection Policy. Where this does not apply and you are still concerned and unsure of whether the information should be passed on or other action taken you should speak to the Headteacher or the DSL.

The principles the school follows in all cases are:

- ensure the time and place are appropriate; reassure the pupil that the matter warrants time, space and privacy; see the pupil as quickly as possible, and always immediately in cases of neglect or abuse, so that any necessary intervention happens as early as possible;
- explain to the pupil that confidentiality cannot be guaranteed if staff believe the pupil will hurt themselves, hurt someone else, or has told staff that someone is hurting them or others;
- do not interrogate the pupil, or ask leading questions;
- do not put pupils in the position of having to repeat distressing matters to several people;
- inform the pupil, wherever possible, before confidential information is shared, and explain the reasons for this; and
- encourage the pupil, wherever possible, to confide in their own parents/carers.

Confidentiality, Equality and Gender Questioning Pupils: Information about a pupil's gender identity, or about a pupil who is gender-questioning or socially transitioning, is particularly sensitive personal information and is treated with the same safeguarding-led confidentiality principles as any other sensitive disclosure, together with the "very careful approach" required by KCSIE 2026. As with any other safeguarding matter, staff must not promise absolute confidentiality.

In line with KCSIE 2026, the involvement of parents/carers is the default position in the vast majority of cases, particularly at primary level, unless doing so would put the pupil at risk of harm. Any decision about whether, and how, to share information relating to a pupil's gender questioning is made and documented by the DSL, together with the Headteacher, with a clear rationale that reflects the best interests of the individual pupil and the wider pupil community, and takes account of the Equality Act 2010, including the protected characteristic of gender reassignment and, following *For Women Scotland Ltd v The Scottish Ministers* [2025] UKSC 16, the meaning of "sex" under that Act. Full detail is set out in the Gender Questioning Pupils Guidance, the Safeguarding (Child Protection) Policy and the RSE Policy, which must be read alongside this policy.

Record Keeping, Storage and Retention: Any disclosures which may involve Safeguarding and/or Child Protection issues are securely stored in an electronic record on CPOMS which is accessible by the Designated Safeguarding Leads and the Headteacher. Any paper records are stored in a lockable filing cabinet and if they are of a sensitive nature, then they are kept in a sealed envelopewith a signature over the seal. If asked, staff must be able to explain to the pupil and, if appropriate, any adult with parental responsibility:

- the purpose for which the information is being recorded, where and for how long the record will be kept;
- the circumstances in which it may be shared with other people and agencies who may have or may be given access to the information
- which other people and agencies may have, or may be given, access to the information.

Pupil records are kept in a locked filing cabinet or on the school's secure management information system. Pupil, SEND and child protection files are retained until the pupil's 25th birthday and are then securely destroyed, in accordance with the School's Records Retention Policy, unless a longer period is required (for example, because of an ongoing investigation, complaint or legal proceedings, or because the file relates to allegations of sexual abuse, in which case advice will be sought on extended retention).

Personal pupil information is not displayed on general notice boards, except for health and safety notices about a specific pupil's medical condition or allergy, which are displayed only in the staff room and are accessible only to School staff.

Data Protection Complaints: From 19 June 2026, section 164A of the Data Protection Act 2018 (inserted by section 103 of the Data (Use and Access) Act 2025) gives any pupil, parent/carer, member of staff or other individual who believes their personal data has been mishandled the right to complain to the School, as data controller, in the first instance, before referring the matter to the Information Commissioner's Office (ICO).

The school's existing Complaints Policy has been adapted, rather than replaced, to meet this requirement, in line with ICO guidance. In summary:

- complaints about the handling of personal data may be made to the School's Data Protection Officer (DPO), whose contact details are published in the school's privacy notices, on the school website and in the Data Protection Policy;
- the school will acknowledge a data protection complaint within 30 days of receipt;
- the school will investigate the complaint and respond without undue delay, keeping the complainant informed of progress;
- the school will keep a record of the complaint and its resolution; and
- if the complainant remains dissatisfied after the school's response, they retain the right to complain to the ICO.

Reception staff, the DPO and the Senior Leadership Team are briefed on this route so that a data protection complaint raised informally, in person, by telephone or by email, is recognised and handled correctly from first contact. Full detail is set out in the Complaints Policy and the Data Protection Policy.

Equal Opportunities Statement (Single Equality Policy): Our policy aims to respond to the diversity of children's cultures, faiths, gender, race and family backgrounds.

Information Sharing with Other Agencies and Safeguarding Partners: The sharing of information is an integral part of staffs' role when working with children. Failure to share the right information could have serious consequences for a pupil's outcome and fears about sharing information cannot be allowed to obstruct the promoting of children's welfare. All practitioners should be alert to the signs and symptoms of abuse and neglect and understand the procedures for reporting cases of suspected abuse in line with our Safeguarding Policy.

Where there are concerns about the safety of a child, the sharing of information in a timely and effective manner between organisations can reduce the risk of harm. Every LSCB should play a strong role in supporting information sharing between and within organisations and addressing any barriers to information sharing. This should include ensuring that a culture of appropriate information sharing is developed and supported as necessary by multi-agency training. In addition, the LSCB can require an individual or body to comply with a request for information, as outlined in section 14B of the Children Act 2004.

Staff should be aware that a new statutory Information Sharing Duty is being introduced, with detailed statutory guidance currently subject to DfE consultation. Once that guidance is finalised, this policy and the Safeguarding (Child Protection) Policy will be updated to reflect it. In the meantime, staff should continue to apply the golden rules in section 11, and should remember that, other than in extremely limited circumstances, fears about sharing information must not be allowed to stand in the way of safeguarding a child.

Further guidance on information sharing can be found in Working Together to Safeguard Children (2026), which includes a myth-busting guide to information sharing; in the Department for Education's Information sharing: advice for practitioners; in the ICO's guide to sharing information to safeguard children and young people in the education sector; and in the ICO's Data protection: toolkit for schools.

Key Principles to Information Sharing: The principles set out below are intended to help practitioners working with pupils, parents and carers share information between organisations. Staff should use their judgement when making decisions on what information to share and should consult the DSL. The most important consideration is whether sharing information is likely to safeguard and protect a child.

Necessary and proportionate: When taking decisions about what information to share, you should consider how much information you need to release. Although The Data Protection Act 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., safeguarding (child protection) issues takes priority.

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. Practitioners 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. Practitioners must always follow their 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 organisational 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 each organisation's 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.

Information Sharing When a Pupil Joins or Leaves the School: Where a pupil leaves the School, the DSL (or a deputy) ensures that the pupil's child protection file is transferred securely to the pupil's new school or college as soon as possible, and in any event within five days of an in-year transfer, or within the first five days of the start of a new term. The file is transferred separately from the pupil's main educational file, secure transit is ensured, and confirmation of receipt is obtained.

In addition to the child protection file, the DSL will consider whether it is appropriate to share other information with the new school or college in advance of the pupil leaving, particularly where that information would support an assessment of risk to others as well as to the individual pupil — for example, information about a pupil who has had a social worker, has been a victim of abuse, is receiving support through the Channel programme, or has previously carried, threatened with, or used a weapon. Where information indicates a risk to others and/or to the individual pupil, it is good practice for the DSL to have a direct conversation with the DSL of the receiving school or college, in addition to any written information shared. When a pupil joins the School, the DSL requests the child protection file (and any other relevant information) from the pupil's previous school as soon as possible and follows up with that school's DSL directly where there is any indication of a significant safeguarding issue.

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. (See flowchart below)

When:

- Is there a clear and legitimate purpose for sharing information?
- Does the information enable an individual to be identified?
- Is the information confidential?
- Do you have consent to share the information?
- Is there another reason to share information such as to fulfil a public function or to protect the vital interests of the information subject?

How to share Information:

- 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.

When sharing information without consent: The Cornwall Independent School must always consider the safety and welfare of the pupil when making decisions on whether to share information about them. Where there is concern that the pupil may be suffering, or is at risk of suffering, significant harm, the pupil's safety and welfare must be the overriding consideration. Staff should, where possible, respect the wishes of pupil or families who do not consent to share confidential information.

However, information may still be shared if, in their judgement on the facts of the case, there is sufficient need to override that lack of consent. As pupils mature, they are able to take more responsibility for their own decisions about confidentiality. If a young person is Gillick competent, or Fraser competent in the case of access to contraception and other health care, their decision overrides their parents/carers.

Recording information: Practitioners must explain to the pupil and, if appropriate, any adult with parental responsibility:

- the purpose for which the information is being recorded, where and for how long the record will be kept
- the circumstances in which it may be shared with other people
- any other people and agencies who may have or may be given access to the information.

Confidentiality and Information Sharing within the Early Years Foundation Stage (EYFS): To ensure that all those using the School's Reception Class can do so with confidence, we will respect confidentiality in the following ways:

- Parents will have ready access to the files and records for their own children but will not have access to information about any other child. We may have to share information without parents' consent if there are any safeguarding issues.
- Staff, volunteers and pupils on placement will be informed of the confidentiality policy on induction and sign a document to confirm this.
- They will not discuss individual children other than for purposes of the EYFS programme, with people other than parents/carers of that child. Information given by parents/carers to the staff will not be passed on to other adults without permission.
- References are sought and obtained for all staff appointed to work in the Reception class before their appointment is confirmed, in line with the EYFS safer recruitment requirements.
- Use of mobile phones, cameras and any device capable of capturing or sharing images in the Reception class is governed separately by the EYFS Use of Mobile Devices and Cameras Policy, restricted to non-contact time when children are not present.
- Emergency contact information, dietary and allergy information, and other sensitive personal data provided by parents/carers before admission is shared only with those staff who need it to keep the child safe and well, in line with the School's Supporting Pupils with Medical Conditions and Allergies Policy.

Contraceptive advice, Sexual and Reproductive Health: The Department of Health (DoH) has issued guidance which clarifies and confirms that health professionals owe young people under 16 the same duty of care and confidentiality as older patients. It sets out principles of good practice in providing contraception and sexual health advice to under-16s. The duty of care and confidentiality applies to all under-16s. Whether a young person is competent to consent to treatment or is in serious danger is judged by the health professional on the circumstances of each individual case, not solely on the age of the patient. However, the younger the patient the greater the concern that they may be being abused or exploited. The Guidance makes it clear that health professionals must make time to explore whether there may be coercion or abuse. Cases of concern would be referred through child protection procedures.

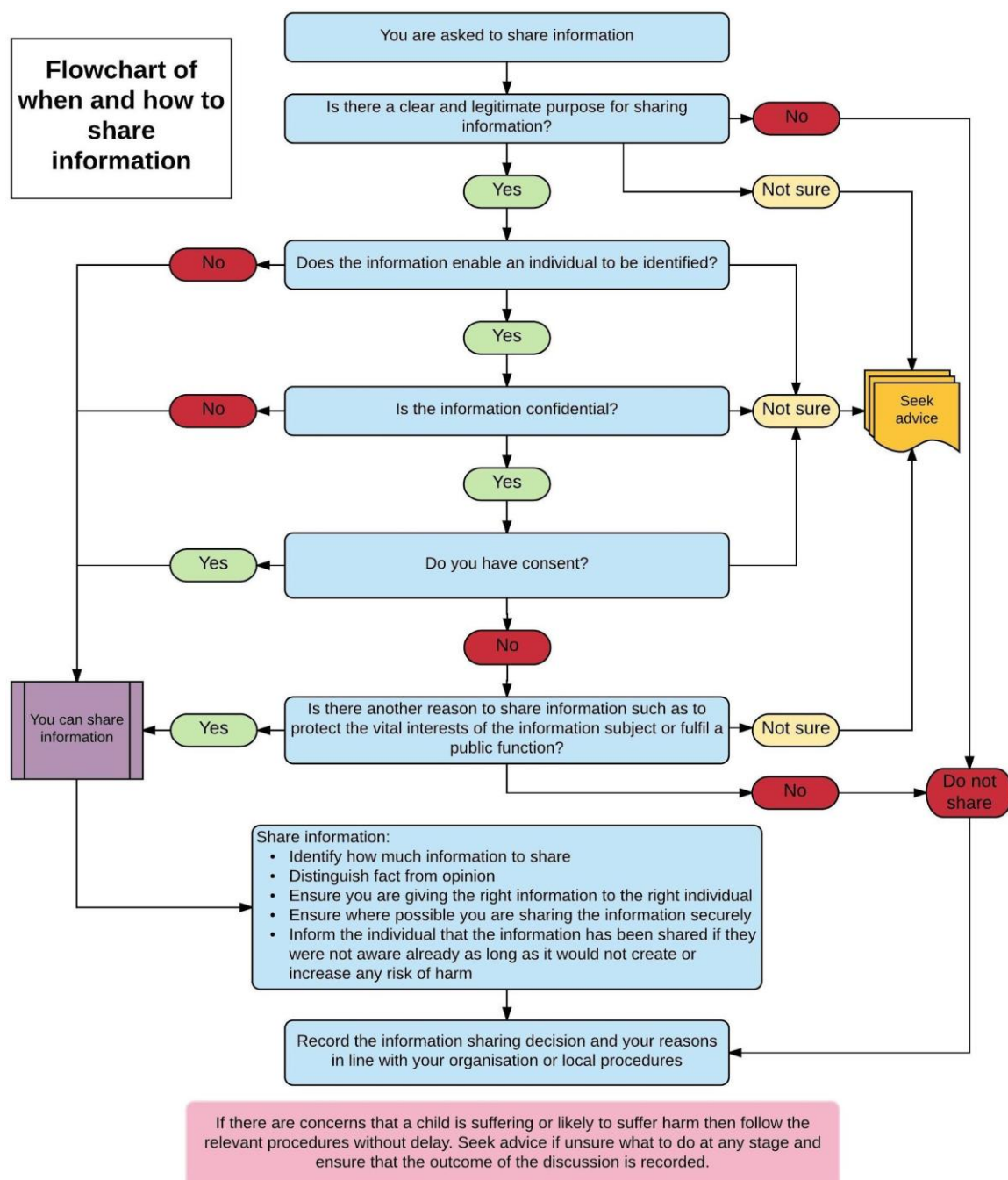
Training Induction and Dissemination: This policy is distributed to all teaching and non-teaching staff, including volunteers. All new staff, including volunteers, receive a copy of this policy together with training on the School's Safeguarding (Child Protection) Policy and procedures, delivered by the DSL, as part of their induction. All staff are required to read Part One and Annex A of KCSIE 2026 on induction, and their understanding is refreshed annually, alongside training on data protection and information sharing.

Monitoring, Review and Adaptation: The text of this policy is necessary and proportionate to meet the needs of The Cornwall Independent School, supports those who work with our pupils, and makes clear the responsibilities of School staff, volunteers, the Proprietor and the Governance Advisory Board. These arrangements are subject to continuous monitoring, refinement and audit by the Headteacher. The Governance Advisory Board is committed to reviewing and updating School policies regularly, so that they remain relevant and effective in supporting the School's mission and values, and to reviewing how effectively related duties have been implemented. This review is formally documented in writing. Any deficiencies or weaknesses identified in arrangements or procedures are remedied immediately and without delay. All staff are informed of updated or reviewed arrangements, which are made available to them in writing or electronically.

This policy will also be reviewed, ahead of its next scheduled review date, if there is a material change in the law or in statutory or best practice guidance affecting confidentiality or information sharing — including, but not limited to, the publication of statutory guidance under the new Information Sharing Duty, and finalised statutory guidance on medical conditions and allergies (“Benedict’s Law”) so far as it affects information sharing about pupils’ medical needs.

APPENDIX 1.

The safety, well-being, and protection of our pupils are the paramount considerations in all decisions that members of staff make about confidentiality. The appropriate sharing of information between school staff members is an essential element in ensuring our pupils' well-being and safety. This policy describes The Cornwall Independent School approach to information sharing and the protocols we implement around pupil confidentiality.



Source: Information Sharing (HM Government March 2015)