



# **CONFIDENTIALITY POLICY**

## **Meán Scoil Mhuire**

**Chairperson:** John Mc Govern  
**Principal:** Aoife Mulrennan  
**Date:** 25/11/2020

### **Purpose:**

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.

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

### **Mission Statement:**

Meán Scoil Mhuire is a voluntary Secondary Catholic School under the trusteeship of CEIST. It is a centre for the holistic formation of girls and young women.

### Aims

- We respect the dignity of each person with her unique background, talents, traditions and beliefs.
- We provide a pleasant disciplined atmosphere in which students can grow spiritually, morally, academically, socially and culturally.
- We expose all to a rich cultural heritage and help them to acquire the knowledge and skills, which enables them to understand, appreciate and respect themselves, others and their environment.
- We foster positive Christian values and self-esteem so that our students leave school with a sense of self-worth and self-esteem and are well equipped for the challenges of life.
- We encourage partnership at all levels between the management, staff, parents, students and the local community.
- Meán Scoil Mhuire has not only a highly respected academic tradition. We also develop creativity, leadership and social skills by promoting involvement in extra-curricular activities

In line with the Mercy philosophy, the holistic development and full potential of each student, particularly those who are disadvantaged or marginalised, are of utmost importance. We strive to create an atmosphere of care, respect and joy. Mercy education is committed to on-going whole school development in collaboration and

partnership with the board of management, teaching staff, parents and the wider community.

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.

### **Confidentiality & the role of 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.

Our school adopts a student-centred approach to education.

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 of 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:

- The Designated Liaison Person (DLP) in our school: Ms. Aoife Mulrennan – Principal.
- The Deputy Liaison Person (DDLDP) is: Ms. Mairéad Lyons- Deputy Principal.

Child and Family Agency Child Protection Social Work Services: Any stakeholder can report a child protection concern about a student or school directly to this agency by contacting the local social work office @ Child and Family Agency, Primary Care Centre, Harbour Road, Mullingar, Co Westmeath. Telephone: 044 9353997

Up to date information can be found at <https://www.tusla.ie/services/child-protection-welfare/contact-a-social-worker/>

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 in 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 the school personnel to access 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.

### **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/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,

- 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 learners 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](http://www.hse.ie)

### **Links between this policy and other policies:**

This confidentiality policy should be read in conjunction with the School's policies on:

- Acceptable Use Policy
- Admissions Policy
- Anti-Bullying Policy
- Child Protection Procedures for Primary and Post-Primary Schools 2017
- Child Safeguarding Risk Assessment
- Code of Behaviour
- Digitalised Guidance Plan
- RSE Policy
- SPHE Policy
- SEN Policy
- Whole-school Guidance Plan

### **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 (2018) procedures.

### **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 first staff meeting of the 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 parent/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 'Consent Form to attend Confidential One to One Guidance Sessions' when a student first registers as a student in the school. (Appendix A)
- Students are reminded about the limits to confidentiality within the school.
- Students engaging in counselling sessions sign an 'Adolescent Informed Consent Form' with the counsellor. (Appendix B)
- A 'limits to confidentiality' sign is on display in the Guidance Counsellor's 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:**

The *Child Protection Procedures for Primary and Post-Primary Schools 2017* available at [https://www.education.ie/en/Schools-Colleges/Information/Child-Protection/child\\_protection\\_guidelines.pdf](https://www.education.ie/en/Schools-Colleges/Information/Child-Protection/child_protection_guidelines.pdf) provide information and guidelines as to how to respond to any issue presented to a staff member.

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.

**Accessibility:**

This policy is available on the school website at [www.https://scoilmhuirelongford.ie/](https://scoilmhuirelongford.ie/). A hardcopy may be requested from the school office.

**Monitoring Procedures**

Guidance Counsellor(s), Chaplain, Principal and Deputy Principal will review this policy at the end of each academic year.



## APPENDIX A

### Meán Scoil Mhuire

#### Consent Form to attend Confidential One to One Guidance Sessions

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

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

Our school policy on confidentiality is accessible at: [www.scoilmhuirelongford.ie](http://www.scoilmhuirelongford.ie)

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

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**To be completed by parent/ guardian and returned for the attention of the school Principal**

**Name of Student:**

**Year:**

**Name of Parent/ Guardian:**

I give my permission for the student named above to meet with school guidance counsellor(s) / chaplain on a 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:**



## **ADOLESCENT INFORMED CONSENT FORM**

Privacy of Information Shared In Counselling/Therapy: Your Rights and School Policies

### **WHAT TO EXPECT:**

Information discussed in counselling will remain private and confidential. However confidentiality cannot be maintained when:

1. You plan to cause serious harm or death to yourself, and the Guidance Counsellor believes you have the intent and ability to carry out this threat in the very near future. The Guidance Counsellor must take steps to inform a parent or guardian of what you have said and assess how serious this threat is. The Guidance Counsellor must make sure that you are protected from harming yourself.
2. You plan to cause serious harm or death to someone else who can be identified, and the Guidance Counsellor believes you have the intent and ability to carry out this threat in the very near future. In this situation, the Guidance Counsellor must inform your parent or guardian, and the Guidance Counsellor must inform the person whom you intend to harm.
3. You are doing things that could cause serious harm to you or someone else, even if you do not intend to harm yourself or another person. In these situations, the Guidance Counsellors will need to use their professional judgment to decide whether a parent or guardian should be informed.
4. You tell the Guidance Counsellor you are being abused-physically, sexually or emotionally-or that you have been abused in the past. In this situation, the Guidance Counsellor is required by law to report the abuse to the DLP (Designated Liaison Person) in the school who is the Principal or in their absence, the DDLP (Deputy Designated Liaison Person) who is the Deputy Principal. TUSLA (The Child & Family Protection Agency) may also need to be informed.
5. You are involved in a court case and a request is made for information about your counselling or therapy. If this happens, the Guidance Counsellor will not disclose information without your written agreement unless the court requires the Guidance Counsellor to. The Guidance Counsellor will do all they can within the law to protect your confidentiality, and if the Guidance Counsellor is required to disclose information to the court, the Guidance Counsellor will inform you that this is happening.

### **COMMUNICATING WITH YOUR PARENT (S) OR GUARDIAN (S):**

Except for situations such as those mentioned above, the Guidance Counsellor will not tell your parent or guardian specific things you share in your private therapy sessions. This includes activities and behaviour that your parent/guardian would not approve of — or would be upset by — but that do not put you at risk of serious and immediate harm. However, if your risk-taking behaviour becomes more serious, then the Guidance Counsellor will need to use professional judgment to decide whether you are in serious and immediate danger of being harmed. If the Guidance Counsellor feels that you are in such danger, the Guidance Counsellor will communicate this information to your parent or guardian. If the Guidance Counsellor has agreed to keep information confidential – to not tell your parent or guardian – the Guidance Counsellor may believe that it is important for them to know what is going on in your life. In these situations, the Guidance Counsellor will encourage you to tell your parent/guardian and will help you find the best way to tell them. Also, when meeting with your parents, the Guidance Counsellor may sometimes describe



problems in general terms, without using specifics, in order to help them know how to be more helpful to you.

**ADOLESCENT CONSENT FORM**

Signing below indicates that you have reviewed the policies described above and understand the limits to confidentiality.

If you have any questions as we progress with therapy, you can ask your Guidance Counsellor at any time.

Student/Client's Signature: \_\_\_\_\_

Date: \_\_\_\_\_