

**PLYMOUTH
INFORMATION ADVICE
AND SUPPORT FOR SEND**



**Plymouth Information Advice and Support Service (PIAS)
CONFIDENTIALITY POLICY
(Updated November 2020)**

1. Service users¹ seeking information and support from Plymouth, Information Advice and Support Service for SEND (PIAS) will be given the assurance that their enquiry will be treated in confidence.
2. Any information that a service user may disclose, other than that which raise child protection issues or civil safety issues, will not be passed to schools, Plymouth City Council or any other person without prior consent of the service user. This policy will apply to all contact with service users whether it is individual or group work involving disclosure of personal information.
3. Service users should be encouraged to share relevant information with school staff, other services or individuals when it is in the best interests of the service users or of their child/young person to do so. Confidentiality should be interpreted as a facilitative structure to ensure service users do not feel disempowered in discussing issues for which they want support, not as an assumption that information given is best kept secret.
4. It is also considered good practice to ensure that maintaining confidentiality is not interpreted by service users to indicate or imply agreement or collusion with the service user's beliefs or positioning. Good practice might involve setting boundaries for the views being shared by the service user, making it clear, for example that subjective or unsubstantiated serious allegations against named staff in schools, PCC departments, other agencies, or other individuals, may need to be addressed in meetings with those concerned. Staff should be clear in the face of such allegations that they may feel uncomfortable to accept the information without needing to arrange to discuss the issues with those named and with the service user. It is sometimes necessary to ask the service user to refrain from expressing further such views until such a meeting can be arranged (and it may be advisable to have notes taken at that meeting that are available to the parents and others attending).

¹ Throughout this document the word 'service user' is taken to include children, young people and all those with a direct responsibility for parenting. These might be birth parents, step-parents, grandparents or other members of the family, foster or adoptive parents or other adult care givers with parental responsibility.

Recording and Sharing Information:

5. Personal details of service users or their child/young person (names, addresses etc.) will not be included in any data that may be requested to monitor and audit service use, except with their informed consent has been given. Anonymised data will be used to inform such audits.
6. Paid and voluntary staff may be asked to take notes by the service user when supporting at a meeting or may make notes while supporting an individual service user. All written information relating to the service's work with parents is the property of PIAS. Such notes can be offered to service users as a record of the meeting, capturing key points relevant to service user's needs. They should not be used as, or be seen to have the status of, formal minutes of a meeting.

Confidentiality boundaries

7. In most instances, staff must regard all contacts with service users as confidential. This means that nothing a service user says may be passed on to another person outside of the organisation without prior consent of the service user. It is important to be aware of respecting the needs of all people we are in contact with.
8. Information must be made available within the service, if it is relevant to the work of the organisation. There are times when a member of staff may need to discuss a service users confidences with particular individuals within the service. This will be quite appropriate when, for example, seeking information. When seeking advice or information from outside the service on behalf of the service user, the service user's permission must be given. Staff should explain, on initial contact with service users that any information apart from that which may raise child protection issues or civil safety issues, will remain within the organisation unless the service user has given permission for the information to be shared.
9. Only in exceptional circumstances would it be necessary to pass on confidences outside the service. The law requires that in matters of considerable risk to children, the above rules be waived i.e. Child Protection Issues.
10. If a member of staff is told of actual abuse of a child, or they are told of suspected child abuse by a third party, or they themselves suspect it, they should:
 - Thank the individual for telling them, stating that they did the right thing by passing on their concern;

- Explain that they themselves are now required to share this information with a senior member of the service and in certain circumstances the concern might then be passed on to the Gateway service.
 - Immediately inform the senior member of staff (currently the Service Manager) of the alleged concern / suspicion and take advice as to what should be the next steps.
11. It is possible that a service user may disclose information about being abused themselves as a child. This may or may not have been addressed by agencies involved in the past. Such disclosure may be accompanied by distress and it is important not to put pressure on the service user for any specific immediate course of action. If the abuse in the past has not been disclosed previously, and if no action has previously been taken to address the abuse, staff should establish the service user's wishes for any help with retrospective reporting.

Civil safety / illegal activity:

12. The service has a responsibility to provide, as far as possible, a safe environment to staff and Service users and confidentiality may need to be broken when illegal activity threatens that safety. This may include persons making active threats to harm, physically or mentally, another person using our service or any other service associated with it and who is not willing to moderate their behaviour. It would certainly be justified if acts of a sexually abusive or violent nature have occurred or where the threat of such occurring is believed to be a serious one.

Shared database protocols:

13. The same overall principles, as set out above, applies. No personal information will be made available to any other persons or agencies without the informed consent of the Service user. PIAS uses the Plymouth City Council (PCC), Capita One shared database. This includes, for other services a notification that we may be working with a service user. The only information available to other agencies is that PIAS is working with the family.

All PIAS staff making contact with Service users about individual casework will explain this protocol, explain what the advantages and disadvantages of enabling other agencies to be aware that the service user has been in contact with PIAS, and ask permission for the flagging of entries to be made.

All service users will be required to complete an electronic consent form which will highlight the information above.

Bob Burton, revised November 2020