

# **Confidentiality for Children and Young People Policy and Procedures**

**for**

## **Information, Advice and Support Services**

### **Introduction**

Under the 2015 SEND Code of Practice, children and young people have a right to confidential and impartial information, advice and support, regardless of their age or mental capacity. Whilst the Code suggests that many children and young people will access services via their parents or carers; services must make it possible for them to access services separately if they wish. Information, Advice and Support Services staff members must be clear about these rights, as well as the limits to confidentiality, as safeguarding children and young people will always be paramount.

### **Policy Statement**

The following policies and procedures should be used in line with the Lone Working with Children and Young People Policy and Procedures, as well as the Information, Advice and Support Service's local safeguarding and child protection policies and procedures.

### **Procedures**

Confidentiality practice should always be explained to children and young people from the outset, and communicated in a way that they can understand. Children and young people should understand the meaning of the word 'confidential' and the limits of the confidentiality that can be offered. The member of staff should check back on the understanding of the child or young person, before commencing support.

The following should be explained to all children and young people accessing the service:

- Confidential means that you do not tell other people. Everything that we talk about in our meetings will be kept private and confidential. This means we will not share your information with other people outside the service,

including parents, teachers or social workers. We might tell our managers so they can check our work, and we might make notes on our computers so we can remember our discussions. We will keep all of this information safe.

- The only time we will break confidentiality and tell someone is if;
  - you give us permission by saying it is ok, or,
  - we think that someone might be in danger of being hurt. In that case, we would need to tell someone to make sure that everyone is safe. We would talk to you about this before we do anything.

Sometimes it will be helpful for staff to speak to the child or young person's support worker, school or college etc., to gather relevant supporting information. As detailed above, if you think that it is in the best interests of the child or young person to share or request information about them, then you need to ask their permission first. This includes sharing information with parents and carers.

If you think it would be in the best interests of the child or young person to share information, then discuss this with them. Explore their reasons for wanting to keep the meetings confidential, and try to work on any issues or misunderstandings that may be getting in the way of including their parents or carers. If the child or young person is clear that they do not want their parents or carers to be involved, then this is their right and confidentiality must be maintained (even if you judge to be an unwise decision).

A child or young person should only be denied a confidential service in the very rare circumstances that it would not be in their best interests to receive information, advice and support. See the Information, Advice and Support Services Network's Legal Briefing for further details.

If you are concerned that someone is being harmed, or is at risk of being harmed, then you need to discuss this as a matter of urgency with your line manager and follow your local safeguarding procedures. Before you share any information, and if it is safe to do so, then you need to discuss this with the child or young person first to try to seek their permission, prepare them and explain your reasons for taking this action.