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| **Unit 18.** | **Information sharing and confidentiality** |
| **Unit objectives*** To explore the principles of confidentiality
* To recognise the negative and positive power of information
* To explore some of the difficulties in sharing information
* To identify effective ways of sharing information
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| **Outline of Unit*** Presentation and large group discussion
* Group activity: Who to tell
* Video clip: Saffron
* Group activity: What to tell
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| **Resources required to deliver unit*** PowerPoint slides
* Handout: “What to tell”
* Statement cards
* Video Clip: Saffron
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| **Resources required to support this unit*** *Sharing Information about Children at Risk: A Guide to Good Practice*
* *The Data Sharing Code of practice*
* National Guidance for Child Protection in Scotland 2010
* Any local protocols for information sharing
* [www.scotland.gov.uk/Topics/People/Young-People/protecting/child-protection/publications](http://www.scotland.gov.uk/Topics/People/Young-People/protecting/child-protection/publications)
* National Framework for Child Protection Learning and Development - <http://www.scotland.gov.uk/Topics/People/Young-People/protecting/child-protection/national-framework-cp-learning-201>
* National Risk Assessment Framework - <http://www.scotland.gov.uk/Publications/2012/11/7143/0>
* <http://www.scotland.gov.uk/Publications/2004/04/19082/34410>
* <http://www.scotland.gov.uk/Publications/2004/04/19080/34385>
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| **Introduction to trainer**This unit builds on the unit “Better Planning” and feeds into the final unit “Working Together”. It addresses the issues involved in confidentiality and information sharing when working with looked after children. There are no easy strategies or solutions to the questions when dealing with these issues. Children themselves have very divergent opinions about who should be given information about them and how much of their personal backgrounds and details should be shared. Some children wish to guard this information very closely whilst others want professionals and other adults to know about their situation so that they can understand the impact of their experiences on their school work and behaviour. This unit provides participants with the opportunity to explore the principles of confidentiality and information sharing and to consider the views of children. The activities provide them with the opportunity to address some of the dilemmas involved in sharing information and the consequences of the decisions that are made. Make sure that you are familiar with any local protocols as these will form an important context for the discussion. |

**Presentation and large discussion (15 minutes)**

Use the PowerPoint slides as triggers for a discussion about confidentiality and information sharing. Encourage participants to explore the difficulties and dilemmas. Ensure that the slide defining confidentiality is discussed and understood. This discussion will lead into the next activities.

**Group activity: Who to tell (20 minutes)**

This activity provides an opportunity for participants to explore the ways in which ‘normal’ communication channels become more complex when children are looked after. Refer back to the unit on Corporate Parenting and remind participants of the fragmentary nature of the parenting role for looked after children, especially those who live away from home.

Prepare a number of cards with some of the following statements (or others from your own choice)

* Poor attendance at school
* Excluded from school
* Success in national tests
* Possibility of going on a forthcoming school trip to France
* Possibility of going on a school day trip to Aviemore
* Child presented as grubby and dishevelled for school
* Child is stealing things from school
* Child/young person is bullying others at school
* Child picked for a main part in school play
* The child/young person is being bullied in school
* The young person committed offences over the weekend
* The young person has been missing over night
* The young person is "flirtatious" with teachers of the opposite gender
* Primary age siblings are starting to have overnight stays on Tuesdays and Thursdays with Mum and Dad.
* Mum turns up slightly inebriated for a parents’ evening but handles things okay.

Ask a participant to pick a card, read out the statement and then answer the following question.

 "If a child is looked after, who should be told about this and why?"

Encourage other participants to join in the discussion. Ensure that consideration is given to whether the response would be different depending on the legal status of the child. Explore the differences between guidance, regulation and good practice. You should also draw out from people their reasons for not passing on information and if assumptions are being made about other professionals/carers – encourage people to check back with one another. Ensure that participants always consider where parents fit into the communication pathways.

**KEY MESSAGES**

* Clarity about the legal status of children is essential.
* Information sharing should be for a purpose
* Keeping people informed requires anticipation, time and an individualised response if children are not to be stigmatised.
* Anxieties or concerns are more likely to be shared than success or achievements, often leading to a ‘problem based’ perception of a child.
* Including children’s parents / carers in communication of information should be the norm, even if they are looked after away from home, unless this compromises their safety or wellbeing.
* A child’s status, if they are looked after away from home, may inhibit concerns being passed on about health and welfare because assumptions may be made that the child is safe.
* There can be a negative impact on professional relationships if information exchange is always about difficulties.
* Sharing information across agencies i.e. data links have to adhere to both national and local policy and procedure.
* The need for clarity about expectations of response or action when information is shared.

**Video Clip: (10 minutes)**

* Saffron

Saffron talks about how being able to talk to teachers at Spark of Genius helped her. Ask participants to suggest other examples from her story where good communication, following GIRFEC principles, would be essential.

**Group activity: What to tell (30 minutes)**

**Trainer’s notes**

Introduce this section by highlighting the fact that personal information is held about us all by a wide range of individuals and organisations. In most situations this does not present us with a problem as long as we are clear about:

* Why the information is held;
* Under what circumstances it will be used;
* Who it will be shared with
* Our rights to see and/or amend data which is held;
* The legal framework, such as data protection legislation, which governs the collection and retention of personal information.

Suggest that it is when information is misused, or used without our consent that we become anxious or upset, and point out how very destructive this can be. Feelings can range from embarrassment to betrayal and humiliation.

There are many situations where information about looked after children’s circumstances is used sensitively and supportively by school staff. Consideration is taken of individual children’s difficulties and anxieties. Strategies are put in place to try to reduce the impact on their attainments or their relationships with staff and other pupils. In some situations, confidential information can be used insensitively or with judgement. This can lead social workers and carers to conclude that it was inappropriate to share confidential information with schools concerning looked after children’s circumstances.

Participants should be asked in small groups to discuss one or more of the scenarios in the hand-out or you may substitute your own examples if you wish. Ask participants to feed back to the big group. Make sure the points outlined below are covered in the discussion.

**Scenario 1**

* The range of situations which can give rise to child protection concerns.
* Any protocol which exists with residential units when dealing with child protection issues.
* If Simon is targeting younger children, this may be happening at school.
* If David has been subject to abuse or threats, this may be affecting his work and behaviour.
* David may have made the complaint because he is being targeted by someone other than Simon.
* Young people need clarity about when they will be consulted and to be given clear explanations about how and why information is to be shared.

**Scenario 2**

* Whatever the specific abuse that Diane may or may not have experienced, she has been through a traumatic time and this is likely to impact on her behaviour and functioning at school.
* She may be easily upset or frightened or perhaps aggressive and defensive.
* Diane needs to know who at school is aware of recent events and where she can go to if she is feeling upset or anxious during the school day.

**Scenario 3**

* Information such as this may be shared between members of a staff team in a unit. Young people often feel that their confidence has been betrayed in such situations. They may be happy for a trusted member of staff to know confidential information but not others.
* A child’s sexuality should not, in itself, be cause for concern.
* Attitudes and opinions may be voiced which are homophobic and may undermine Steven’s self-esteem.
* Steven may be the target of bullying if diversity is not supported within both home and school environments.

**Scenario 4**

* Suzie may exhibit some confusion and anxiety as a result of this process and it may be apparent at school.
* The process of talking about adoption may lead Suzie to talk at school about this to classmates. They may have questions or tease her.
* Schools can play an important role in identifying the diversity of family situations and allowing children to explore the issues involved.
* Adoption has historically been seen as a secret process – modern practice is more open.

Ask participants to reflect on the key issues and questions that have emerged from their discussions and the reasons for any significant differences of opinion that have emerged.

Participants should be asked to provide information about any existing guidelines or protocols that have proved helpful in dealing with the sharing of information. Where such guidelines or protocols do not exist, how might they negotiate boundaries of confidentiality in individual cases? How would they include the young person’s wishes in this? The discussion could be widened, if time allows, to include current dilemmas about confidentiality, or examples of good practice.

Bring the activity to a close by summarising the key messages on confidentiality.

**Key messages**

* Children who are looked after have a large number of people involved in their care and are concerned about the exchange of information.
* Children may try to control the flow of information by asking staff or carers to keep something secret, or by themselves not passing on "routine" information.
* Professionals must be clear with each other and children about their responsibilities to pass on information relating to welfare and safety issues, but only on a "need to know" basis.
* Children can be humiliated and distressed if personal information is shared about them in a public setting. They are entitled to privacy and professionals should seek and take account of their views.
* Effective use of the “Getting it right for every child” and the child’s plan materials can assist in the transfer of information so that children and young people do not have to repeat details about themselves and their history.
* Poor or unprofessional practice in relation to breaches of confidentiality should be challenged. There should be a protocol in place between the social work and education services which outlines how confidential information will be shared and used.
* The welfare of the child is paramount. Effective communication and exchange of information enables carers and teachers to be better prepared and therefore more able to respond to a young person’s difficult or puzzling behaviour.