



# THE EAST MANCHESTER ACADEMY

## ACCESS TO STUDENT RECORDS POLICY

**Policy Name: Access to Student Records Policy**

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## Introduction

The East Manchester Academy recognises that sharing information is vital in relation to early intervention in helping students and families who require additional services to achieve positive outcomes in the best interest of the child. This process will reduce the inequalities between disadvantaged young people and others. These services cover a wide range of provision and include such things as:

- Additional help with learning
- Specialist health services
- Support for parents in developing parenting skills
- Help in moving away from criminal behaviour
- Help in moving away from anti-social behaviour

As local areas move towards integrated children's services, professional and positive sharing of information has even greater importance in realising the potential of these new arrangements in delivering benefits to young people and families, reflecting and delivering the Every Child Matters Agenda.

The Academy recognises that information sharing is also a significant factor in safeguarding and promoting the welfare of young people. Failure to share and record information and to clearly understand the significance of the information shared can lead to the breakdown in taking appropriate action in relation to known or suspected cases.

The Academy will explain to families and the student how and why information may be shared and will seek their advanced approval. The exception to this would be if the student would be at increased risk of significant harm.

The Academy Principal is to be informed with regards to sensitive student issues and will make a decision with regards to who the information is to be shared with.

In most situations the academy staff will need to make a professional judgment in relation to seeking or sharing information. This must be done within the Academy guidelines/code of conduct and must recognise the law in relation to sharing information. The law states that information may be disclosed with consent. However in deciding to share confidential information without consent a professional judgement needs to be taken as to whether the individual's and public interest is served in sharing the information.

The Academy will refer to Contact Point as and when necessary.

## Government General Principles and Guidelines

*(This section should be read in conjunction with the advice on sharing information in the 'Safeguarding and Child Protection' Policy, the Data Protection guidance in Appendix 1 and 2 and the seven golden rules in Appendix 3)).*

To ensure information is correctly and appropriately shared the academy will adopt the following government general principles and guidelines.

- The safety and welfare of a student or young person must be the first consideration when making decisions about sharing information about them.
- There must be a legal basis for sharing information and a legitimate purpose for doing so.
- When dealing with confidential information you will need to be satisfied that there is either;
  - a statutory obligation to disclose,
  - express or implied consent from the persons involved or,
  - an overriding public interest in disclosing information.

The following points should be observed:

- You must consider the significance, or the potential significance of the information you hold. The information you share should be relevant to the purpose for which you are sharing it and you should only share information with those practitioners or agencies that 'need to know'.
- You should be open and honest with children, young people and their families about the reasons why information needs to be shared and why particular actions need to be taken, unless to do so would adversely affect the purpose for which the information is to be shared.
- You should gain consent to share information unless it is not safe or possible to do so, or if it would undermine the prevention or detection of a crime.
- Information should be accurate, held securely and kept for no longer than necessary. Whenever information is shared, with or without consent, the information shared, when, with whom and for what purpose, should be recorded. Similarly, if a decision is taken not to share information, this should also be recorded.

The Academy will ensure that reference is made to the Government's recent on-line tool kit Contact Point as it continues to develop.

## **Working with other Agencies**

The Academy works with a wide range of agencies and will at times include them in consultation to support work with SEN students and those with additional needs. These will include professionals from;

- Health
- Early Years and Childcare
- Social care
- Youth Offending
- Police
- Leisure
- Advisory and support services
- Private and voluntary agencies

## **Code of Practice**

The Academy will adopt a code of practice with regards to sharing information with other agencies following the guidelines below:

- Only share information that is necessary for the purpose for which it is being shared.
- Only share the information with the person or persons who need to know.
- Only share information with relevant support organisations.
- Ensure that any information is accurate and up to date.
- Ensure any information shared is done using a secure method.
- Establish how the information is to be used.
- Establish if the recipient intends to pass this information on to others.
- Clearly identify what limitations, if any, have been consented.
- Inform the individual to whom the information relates.
- Inform parents/guardians unless to do so would not be in the child's interest.
- Maintain up to date records when sharing information.
- Ensure that recordings are in accordance with the Data Sharing Act 1998.

## Professional Judgement

The Academy recognises that most decisions to share information require the exercising of professional judgement. If there is any doubt about the correct procedure or if information should or should not be shared, the person about to share the information should check with the designated Safeguarding/ Child Protection Lead and/or the SENCO as appropriate.

*(This should be read in conjunction with the advice on sharing information in the 'Safeguarding and Child Protection' Policy)*

Sharing information is required to ensure that the student receives the appropriate support and is provided with the highest standards and most relevant type of education. This is in line with the Government's Every Child Matters strategy:

- To be healthy
- Stay Safe
- Enjoy and Achieve
- Make a positive Contribution
- Achieve economic wellbeing

Information should also be shared to safeguard and promote the welfare of young people and children, by protecting them from maltreatment, preventing impairment of their health or development, or ensuring they grow up in circumstances constant with the provision of safe and effective care.

In addition information should be shared to prevent young people and children from committing crime.

## Sharing Information with Parents

*(This section should be read in conjunction with the Academy policy, 'Communication with Parents').*

The East Manchester Academy aims to keep parents and carers informed of what is happening at the Academy with regard to a child's progress, attendance, behaviour and special needs. In addition to the general information about the Academy's calendar and organisation they will receive:

- Regular Electronic Messaging via the text messaging and e-mail communication system.

- Access to data about their child via the Academy Managed Learning Environment.
- Regular progress reports throughout the academic year.
- An initial Tutor based Parents' Evening in the first half-term, followed by a full Parents' Evening later in the year.
- A half-termly Parents' Association meeting in which there is a dialogue between staff and parents on important issues.

Parents and carers can also contact the Academy with requests for further information. (The procedures for doing so are outlined in the 'Communication with Parents' policy.)

## **The Common Assessment Framework (CAF)**

The Academy will ensure its current arrangements are effective in identifying children or young people in need of additional support. This would include emerging emotional distress and health needs. These arrangements will be set up in a sensitive way that ensures confidentiality for the child, young person and family. These arrangements could include:

- Ensuring that every member of staff is clear on their role in the early identification of emerging needs, and knows where they can get support e.g. from a local multi-agency team
- Setting up drop-in provision for parents/carers
- Participating in a locally convened multi-agency panel who take the decision as to when to undertake a CAF and who leads.

The Academy will ensure that all staff are made aware of, understand and are carrying out their responsibilities in line with professional standards and current child-related legislation with regard to identifying pupil needs, in particular child protection, special educational needs and disabilities. Staff will be aware that there will be situations that require, for example, an immediate referral to social services rather than a CAF. They will also be aware who the designated Safeguarding/Child Protection Lead is who will make that referral and understand how to share information on a 'need to know' basis.

*(More information on these procedures is available in the Academy Safeguarding and Child Protection policy.)*

## **Staff within the Academy setting who might carry out a CAF**

A CAF should be carried out by the person who the Academy considers to be the most appropriate. This person will have undergone local training in CAF procedures. Examples of those known to be undertaking CAFs include pastoral staff, SENCOs (or teaching assistants supporting the SENCO), learning mentors, teachers, the Principal and Vice Principals.

Everyone working with children will know about the CAF and understand who is the most appropriate person within the school to initiate the CAF process.

## **Line management and supervision**

Managers of staff carrying out a CAF will also undergo CAF training.

## **Academy governors, School Improvement Partners and the CAF**

School governors now have a statutory responsibility to promote the well-being of Students. Schools and Academies are inspected against the five Every Child Matters outcomes as part of the new Ofsted inspection framework.

School improvement partners will have an important role to support and challenge schools, which involves: helping evaluate the school's performance; identifying priorities for improvement; and planning effective change. This role is to build the school's capacity to improve the attainment of Students and to achieve other key outcomes for Students that bear on achievement.

The Academy is aware that work is underway to develop and implement a national system of IT support for CAF (eCAF) to provide authorised practitioners throughout England with access to a system which allows them to store and retrieve CAF information electronically, across agencies and geographical borders where necessary.

## **Sharing Information online**

The government has outlined its strategic approach to the future development of ICT and online information sharing in the document, 'Harnessing Technology'. They believe ICT can transform teaching and learning and help to improve outcomes for children and young people, through shared ideas, more exciting lessons and online help for professionals

Building a system like the Academy's Managed Learning Environment will give more accessible information and services online for parents and carers, children, young people, adult learners and employers and allow more cross-organisation collaboration to improve personalised support and choice.

Through the Academy website, parents and carers will be able to see more about what their children are learning in school, their levels of attainment (including their special educational needs) and their behaviour and attendance records. The Academy will therefore ensure access to this information is password protected and only accessible to parents and carers (or those they nominate to assist them access the information.)

Education and children's organisations will be expected to collaborate using ICT to provide easy integration of information in support of users' needs. However, the technology offers more than access to information. Because it can store personal data securely, it enables public services to offer more integrated support to children and learners.

The Academy will develop specific information sharing protocols in line with Becta, the LA and emergent government guidance in respect of sharing online information with other agencies and children's services personnel.

Every care will be taken to ensure shared information is kept safe and only used for the purposes for which it was intended.

## Access to Information Matrix

The following Access to Information Matrix shows suggests what type of information is likely to be shared and with whom. (It is recognised that this list does not contain every type of information or detail the circumstances in which the information could be shared.)

## Monitoring, Evaluation and Review

The Trust Board will review this policy at least every two years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the Academy.

**Adopted by the TEMA On** .....

**Chair of Academies Trust Board** .....

**Principal** .....

**Review date** .....