

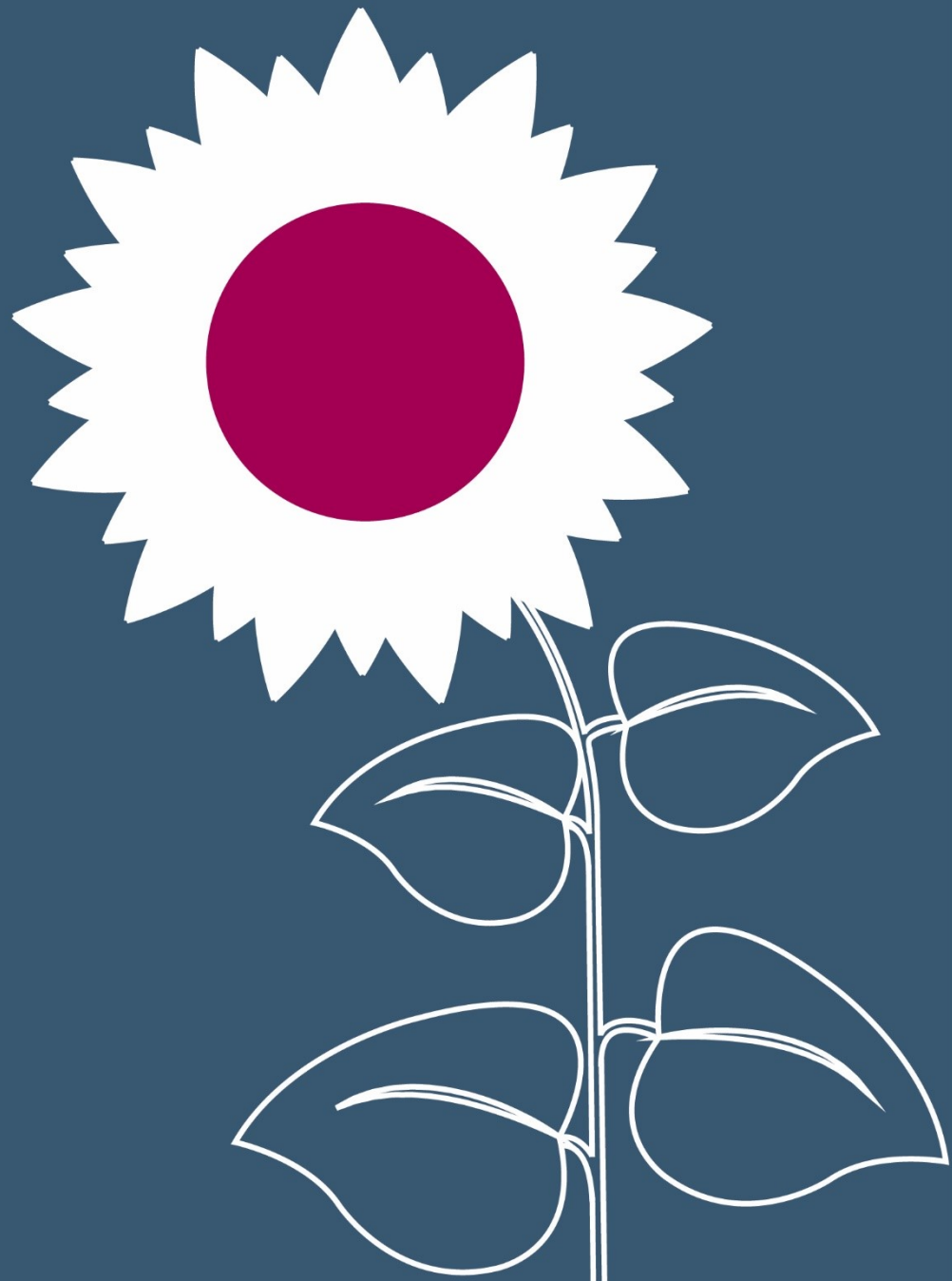


City of
Stoke-on-Trent

Privacy and Confidentiality

Tri x 5_4_7 July 2024

Review July 2025



Information sheet

SERVICE AREA	Children's Social Care
Date effective from	Dec 2013
Responsible officer(s)	Strategic Manager Children in Care
Date of review(s)	Oct 2019 March 2021 July 2022 July 2023 July 2024
Status: <ul style="list-style-type: none"> • Mandatory (all named staff must adhere to guidance) • Optional (procedures and practice can vary between teams) 	Mandatory
Target audience	Residential Staff
Date of committee/SMT decision	
Related document(s)	
Superseded document(s)	July 2023
File reference	5_4_7

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1 Introduction

- 1.1 Young people's need for privacy and confidentiality should be respected by all carers in ways which are consistent with 'good parenting'. However, young people need to be made aware that there are boundaries to privacy and confidentiality, with respect to welfare and safeguarding.
- 1.2 Those working with children/young people must make it clear that confidentiality may not be maintained if the disclosure of information is necessary in the interests of the child/young person. Even in these circumstances, disclosure will be appropriate for the purpose and only to the extent necessary to achieve that purpose.
- 1.3 Children/young people should be informed of the circumstances in which information about them will be shared with others. It should be made clear that in each case the information passed on will only be what is relevant and on a 'need to know' basis.

2 Aims and Principles of the Policy

- 2.1 Each young person's individual needs and wishes, with regard to issues of privacy and confidentiality, will be taken into account when developing their individual Care and Placement Plans.
- 2.2 Children/young people's privacy will be respected.

3 Bedrooms

- 3.1 As a general rule, young people's bedrooms should be regarded as their own private space. Children/young people's bedrooms should be pleasantly furnished, and be equipped and decorated in a manner appropriate to their individual needs, interests and choices. Children/young people should be encouraged to personalise their bedrooms, with posters, pictures and personal items of their choice.
- 3.2 Children/young people should have adequate and safe storage for their belongings and medicines, if administering their own medication.
- 3.3 To safeguard children/young people or their belongings, bedrooms are fitted with locks. Keys must be made available to the child/young person and another key made available to carers for health and safety purposes.
- 3.4 When a young person is admitted to the home, they should be advised about the procedures for carers entering bedrooms and in the event of concerns, the procedure for searching bedrooms.

- 3.5 Unless there are exceptional circumstances, residential carers should always knock on the door before entering children/young people's bedrooms; and then only enter with their permission. Carers should talk through the door to the young person asking them to answer the door and must ascertain whether the young person is dressed and decent.
- 3.6 In the event that the young person is refusing to answer, or is being abusive, and it is essential to gain admission, carers can enter the room without the young person's consent. Carers must inform the young person of their intention to enter if consent has not been given.
- 3.7 Circumstances where residential carers may have to enter a child/young person's bedroom without waiting for permission are:
- To ensure the health and safety of the child/young person e.g. if they are ill or have cigarettes, lighter or matches and intends to use them in a dangerous manner;
 - To wake a heavy sleeper, return or remove soiled clothing (although, in these circumstances, the child/young person should have been told/warned that this may be necessary);
 - To take necessary action, including forcing entry, to protect the child/young person or others from injury or to prevent likely damage to property;
 - It is believed the child may have placed themselves in danger and their immediate safety is in question;
 - It is believed the child may have substances or articles in their room which are illegal or which are harmful to themselves or others;
 - It is believed the child may have stolen property;
 - To look for information which may indicate the whereabouts of a missing child/ young person – [Ref. LAC Procedures, Missing from Care.](#)
- 3.8 Good practice states that where possible two carers should be available if a decision has been made to enter a room without the young person's consent and where the young person may be distressed, abusive, despondent or causing the carer(s) concern. However, if the welfare of the young person is at risk then a room search can be completed by one carer.
- 3.9 When leaving the room carers must not lock the door if the young person is present. The young person must be able to remain in control of whether the door remains locked or unlocked.
- 3.10 Residential carers should always record when they have entered a child/young person's bedroom in any of the circumstances. This is recorded in the room search log and detailed record with the child/young person.

- 3.11 If carers need to go into bedrooms when a young person is not already in their room, carers should ask beforehand. When entering a child/young person's bedroom when they are not present, there must be respect for the child/young person's privacy. For example if documents or the child/young person's diary have been left out, they must not be routinely inspected, unless a specific risk has been identified and recorded.
- 3.12 Children/young people should have their own bedrooms wherever possible. The risks associated with a child/young person sharing a bedroom must be assessed as part of the placement planning process before a decision is made to allow this and the outcome of the assessment should be shared in full with carers prior to the child/young person's placement.
- 3.13 The risks associated with a child/young person receiving visitors in his/her bedroom must also be assessed before it is allowed. Where visitors are allowed in the child/young person's bedroom, unless this is for personal care, the door should always be kept open while the visitor is there. In some circumstances this can be risk managed by staff in the home (siblings for example).
- 3.14 Children/young people may not share bedrooms or receive visitors in their bedrooms unless this has been agreed between the social worker and residential worker and the child/young person's views and wishes have been obtained and considered. These arrangements must be outlined in the Care Plan.

4 Personal Care

- 4.1 Young people should be able to bathe, shower and use the toilet in private. In instances where a younger child requires assistance with bathing this should be provided in a sensitive manner. Even very young children should be enabled to express their wishes with regard to how they receive help with their personal care.
- 4.2 Carers should be particularly aware of and sensitive to privacy needs in relation to physical, emotional and sexual maturation processes for young women and young men. For instance, sensitive and thoughtful arrangements should be in place to provide for teenage girls when they are menstruating.
- 4.3.1 Both boys and girls should be allowed and actively encouraged to take responsibility for washing their own clothes. Carers need to be sensitive to young people requiring privacy with respect to washing their underwear.

5 Mobile Phones

- 5.1 Children/young people may have mobile phones if they can be afforded and they are capable of using them without posing risks to themselves or others.
- 5.2 Mobile phones may be confiscated where there is an immediate risk of injury, damage to property or if an offence would be committed if the phone were not confiscated. If a mobile phone is confiscated the social worker must be notified within 24 hours.
- 5.3 Where a mobile phone is confiscated it is a sanction, and must be recorded as such in an incident report with the reasons for confiscation clearly stated.

[Ref. Protocol for use of mobile phones and digital images in Stoke-on-Trent's residential homes](#)

6 Landline Phones

- 6.1 Each home should have a young people's telephone that enables them to make telephone calls in private. Children/young people may be expected to contribute to the cost of telephone calls; they may also be given an allowance or 'phone cards. However, children/young people should not be expected to pay for calls made by them to their social workers, parents or close family members so long as the frequency and length of calls are not excessive.
- 6.2 If there are any restrictions on who a young person can have communication with, this must have been agreed within the Care Plan and risk assessments.
- 6.3 Use of landline telephones may be restricted during normal school hours unless in an emergency.

7 Room Searches

- 7.1 Searching young people's possessions is a very serious infringement of personal liberty. Carers should not engage in any searches of personal possessions unless the young person gives their permission to do so. In **exceptional** circumstances, such as where the safety of the young person or others is seriously compromised, there may be a need to search and retrieve a dangerous implement without the young person's permission.
- 7.2 In these **exceptional** circumstances carers on duty should agree a course of action and seek permission for taking such action from the Home Manager or on-call manager. The decision, the reasons for it and the action taken should all be recorded in the detailed record and relevant log book.
- 7.3 If there is a suspicion that concealed weapons, illegal drugs, other items, which may place the child/young person or others at risk of injury, residential carers should try to obtain them with the child/young person's co-operation or if there is immediate high level concerns the police.

- 7.4 Before conducting such a search, carers should always attempt to consult their manager or on-call manager and the child/young person's social worker. Where possible two carers should be present during the search and carers must inform the young person of their intention to carry out a room search and allow the young person to be present if the young person wishes and if it is considered appropriate. However, if the welfare of the child/young person is at risk then a room search can be completed by one carer.
- 7.5 Only outer garments may be searched. More intimate searches may only be conducted by the Police or with the authorisation of the Court. Room searches should only seek to identify risks or inappropriate items – they should not scrutinise personal possessions or documents unless a specific risk has been identified and recorded.
- 7.6 When conducting searches, reasonable precautions must be taken to protect against possible sharp or dangerous objects that may be concealed. If weapons or any dangerous or offensive items are found, they must be confiscated and secured away and most appropriate agency contacted.
- 7.7 All efforts should be made to leave the bedroom in the condition in which it was found, the focus being on respect for privacy.

Notifications

- 7.8 Searches undertaken with the child/young person's co-operation must be notified to the Home Manager on call and social worker at the first opportunity.
- 7.9 Searches conducted without the child/young person's co-operation are deemed to be Incidents and must be notified to the Home Manager and social worker as soon as possible, but within 24 hours or the next working day.

Recording

- 7.10 Searches conducted with the child/young person's cooperation should be recorded in a detail record/incident record and the Home's Room Search Book. Details to be included are:
- The time and date of the search;
 - Details of who/what has been searched;
 - The reason or suspicions which led to the need to conduct the search;
 - Who conducted the search and whether the child/young person or others were present;
 - What was found, and whether items found were retained/confiscated;
 - If items were retained/confiscated, where they were stored;
 - Any items handed to the Police;

The views of everyone involved in the search should be included and all parties should sign the completed record.

- 7.11 Searches conducted without the child/young person's co-operation should be recorded in the home's Room Search Log which is monitored by the home's manager.