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The secrets which teachers keep

by Dinah Hall

School teachers like doctors have an unwritten code of confidentiality. The question is how much should they keep from a student's parents.

CONFIDENTIALITY has become, like gallantry, a rather oldfashioned notion, eroded as it has been by gossip-hungry diary journalists at one end of the scale, and major transgressions against the Official Secrets Act at the other. Who can honestly say they have never uttered the shameful words 'I'm not supposed to tell, but....'?

In certain professions, however, such as medicine and the priesthood, confidentiality remains an absolute imperative. For teachers, who have no written code of conduct governing what they do with confidences received during the school day, it remains a shadowy and vulnerable area.

Jane Fraser, author of Confidentiality in Secondary Schools, produced by the Brook Advisory Centres, recognized the need for such a publication when approached by a teacher who had been caught in a typical dilemma.

A 15-year-old pupil had confided that she was pregnant, but could not tell her parents — her father would throw her out, and her mother had just had an operation and was not strong enough to face up to the situation. At the end of the school day, while the teacher was still wondering what to do, she was approached by the mother, who had sensed that something was wrong with her daughter. Without thinking the teacher betrayed the confidence only to regret it later when the girl became unco-operative and sullen at school.

'If that teacher had had the groundings that Brook has in handling confidences of this nature, she might have been able to persuade the girl to tell her parents and to have gone along as a referee. Once children have been able to discuss a personal matter with an adult who is detached from the home situation, they find it a lot easier to talk to their parents; they have not only the language but the courage to go back and say 'look, mum, you're not going to like this but ...' It's very rare that you get situations where it is absolutely not right to involve the parents, but in those rare circumstances you do have to take what children say seriously, because often you will find that the crisis they anticipated does happen.'

Professor Ragg of Exeter University's School of Education thinks that few children confide in teachers on matters like contraception. It is more likely that teachers will be dealing with confidential information proffered by parents: family problems, marriage break-ups, for example. And he believes that most schools are already very good at handling such matters.

'Of course the keeping of confidence in teaching is important, and it is one of the first things I stress in my opening lecture to students here. It's impotant for two reasons. Firstly, trust is vital, particularly if you are working in difficult conditions, perhaps with children who have learnt not to trust any adult. And secondly it's just a matter of professional standards.

'But it will often pose a legal or moral dilemma. The assumption in English law is that a teacher's first responsibility is to the child, but that child is dependent on the parent and this can cause a clash of loyalties. The legal dilemma is that though you respond to a confidence, you don't initiate it, and there is no way you can avoid being told something; but if it involves knowledge of a criminal action, by not breaking that confidence you can be technically guilty of committing an illegal act.'

One secondary school teacher at a private school in south London finds this the most difficult aspect of her job. 'You come expecting to teach maths, but find yourself out of your depth in complex emotional situations. For instance, one of my 14-year-old pupils had what I am convinced was a very early miscarriage at school. I consulted the head and together we unsuccesfully tried to persuade the girl to tell her parents. We did, however, manage to get to see a doctor.

Confidentiality has another side to it, however. You may desire information proffered by you to be kept confidential, but what about personal information that is kept on file without your knowledge? School records are as open to abuse as other 'official' files. If one teacher finds your child 'difficult', is this subjective assessment kept secret, or is it enshrined forever, and passed on to whomever requests a reference?

Pupils and parents are not allowed by law to see personal files, but under the Data Protection Act 1984 they are allowed to request access to computerized files — though as the Campain for Freedom of Information poits out, even in the most computerized schools, correspondence files and other important documents will be on paper.

There will be regulations from the Department of Education covering this by the end of the year, but it seems likely that information from outside bodies, and information supplied to outside bodies, will be exempted from right of access.

The Campaign for Freedom of Information says that some of the worst problems arise in confidential communications made by schools to the juvenile courts. Comments can be prejudiced' one boy was described as 'a cancer to the student body — if he didn't commit this offence someone else in his family did.'

In cases of child abuse, school involvement is obviously vital, but the cloak of confidentality may conceal injustices. In one suspected case of abuse, for example, the teacher told the case conference that the child was coming to school unfed. Because the local authorities involved believed minutes of such meetings should be made available to parents, the mother was able to explain that on the morning to which the teacher inferred the child had an appointment with the dentist and had been told not to eat anything. Where access to confidential information is not available, other such misinterpretations of fact will inevitably occur.

The Brook Advisory Centres publication will enable schools to draw up a clearly defined code of practice which will trengthen the bond of trust between teacher and pupil. But the more sinister side of confidentiality still lies hidden in the filing cabinet.