

Confidentiality Policy

Statement of Intent

It is our intention at the pre-school to respect the privacy of children and their parents and carers, while ensuring that they access high quality early years care and education in our setting.

Aim

We aim to ensure that all parents and carers can share their information in the confidence that it will only be used to enhance the welfare of their children.

Method

We keep two kinds of records on children attending our setting:

1. Developmental records

- These include observations of children in the setting, samples of their work, summary developmental reports and records of achievement.
- They are usually kept in the preschool or nursery room and can be accessed, and contributed to, by staff, the child and the child's parents/carers.
- All other observational or developmental records are held securely on our online record keeping system.

2. Personal records

- These include admission and enrolment forms, signed consents, and correspondence concerning the child or family, reports or minutes from meetings concerning the child from other agencies, an ongoing record of relevant contact with parents, and observations by staff on any confidential matter involving the child, such as developmental concerns or child protection matters.
- These confidential records are stored in a lockable file or cabinet and are kept secure in the office.
- Parents have access, in accordance with the access to records procedure, to the files and records of their own children but do not have access to information about any other child.
- Staff will not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs. Staff induction includes an awareness of the importance of confidentiality in the role of the key person.

Other records

- Issues to do with the employment of staff, whether paid or unpaid, remain confidential to the people directly involved with making personnel decisions.
- Students when they are observing in the setting are advised of our confidentiality policy and required to respect it.

Policies and Procedures

Oct 13, Jan 16, March, 17, Sept 18, July 19,

Access to personal records

Parents may request access to any records held on their child and family following the procedure below.

- Any request to see the child's personal file by a parent or person with parental responsibility must be made in writing to the setting manager Michelle Wisbey.
- The setting commits to providing access within 1 month.
- All third parties are written to, stating that a request for disclosure has been received and asking for their permission to disclose to the person requesting it: Copies of these letters are retained on the file.
- 'Third parties' include all family members who may be referred to in the records.
- It also includes workers from any other agency, including social services, the health authority, etc. It is usual for agencies to refuse consent to disclose, preferring the individual to go directly to them.
- When all the consents/refusals to disclose have been received these are attached to the copy of the request letter.
- A photocopy of the complete file is taken.
- Michelle Wisbey, Preschool Director, will go through the file and remove any information which a third party has refused consent to disclose. This is best done with a thick black marker, to score through every reference to the third party and information they have added to the file.
- What remains is the information recorded by the setting, detailing the work initiated and followed by them in relation to confidential matters. This is called the 'clean copy'.
- The 'clean copy' is photocopied for the parents who are then invited in to discuss the contents. The file should never be given straight over, but should be gone through by the setting leader, so that it can be explained.
- Legal advice may be sought before sharing a file, especially where the parent has possible grounds for litigation against the setting or another (third party) agency.

Staff Responsibilities

Staff need to know and understand:

- How to manage, keep and dispose of data
- The pre-school's procedures in relation to children's records, email, social media, taking photos in the pre-school, mobile technology and the pre-school website
- When they are allowed to share information with others and how to make sure it is kept secure when shared.

All the undertakings above are subject to the paramount commitment of the setting, which is to the safety and well-being of the child.

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Trustees

- Trustees will not discuss staff, children, or parent personal information given by the Pre-school management unless it is as part of their Trustee role.
- All shared information remains confidential and the property of the pre-school, no paperwork, written notes or saved files should be held on Trustees personal computers or at the home address
- All Play to Learn Ltd data or intellectual property developed or gained during the period of trusteeship remains the property of Play to Learn Ltd and must not be retained beyond termination of trusteeship or reused for any other purpose.

Legal Framework

Data Protection Act 1998 (<http://www.legislation.gov.uk/ukpga/1998/29/contents>)

Freedom of Information Act 2000

Human Rights Act 1999

The Children Act 2004, 2006 (Every Child Matters)

Statutory Framework

Statutory Framework for the Early Years

Section 3: The Safeguarding and Welfare requirements 3.68 – 3.76

Guidance

Please see separate Child Protection and General Data Protection Regulation Policy.

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