

Confidentiality Policy

(Setting name) takes the confidentiality of all staff, children and families very seriously. We will only use and share confidential information when necessary to support the wellbeing of individual children.

The setting will not discuss confidential information about children and their families with other parents/carers. Parent helpers/volunteers will be briefed on the importance of maintaining confidentiality and they will not have access to any personal files or information.

Records are kept as follows:

- Personal Records. In each child's individual file will include: registration and enrolment forms, consent forms, information and observations by staff on any confidential issue involving the child; for example, developmental concerns or safeguarding concerns. Also, reports or minutes that may arise from any meetings that concern the child from other agencies working with the child/family. Parents can access these records by following the access to information procedure.
- Learning and Development Records. These include observations, assessments, photos, developmental records, and samples of the child's work. Learning and development records will be stored appropriately to ensure confidentiality within the child's play room. These records can be accessed, and contributed to, at any time by staff, the child's parents and the child.

Staff Records. Each team member, paid or unpaid, will have a personnel file containing personal information, emergency contact details, next of kin, recruitment information, references, induction records, training records, qualifications, appraisal records, evidence of CRB clearance. This file can be accessed by the individual to whom the file relates upon request to the management.

Student Records. Each student will have a file containing personal information, emergency contact numbers, next of kin, and details of course, tutor and induction, confirmation from college/evidence of CRB clearance. This file can be accessed by the individual to whom the file relates upon request to the management.

- Medication Records. Individual records relating to each child/staff member detailing ongoing medication and emergency treatment with consent from parents/carers or the individual.
- Accident and Incident Records. Individual records relating to each child/staff member detailing the nature of the accident/incident, pre-existing injuries, who dealt with it and the outcome. The record will include counter signatures.

If the setting uses a book, we recommend a page per child and when records are presented for counter signature, this should be done in a way that does not breach the confidentiality of the previous record. Ideally the setting should use single sheets and save in the child's personal file.

All records relating to the children and individuals who have worked with the setting whether paid or unpaid will be archived for a period of time in line with regulations and guidance in the EYFS (minimum of 3 years).

(Setting name) will ensure all Management Committee Members/Staff/ Volunteers and Students are aware of, and understand the confidentiality policy, and will be asked to sign a record to agree that they have read the policy and agree to abide by it. They will be made aware that any breach of confidentiality may lead to disciplinary action.

Breach of Confidentiality.

All Committee/Staff members are expected to regard confidentiality as a duty and a responsibility. Committee/Staff who disclose information observed or heard without proper authorisation, will be subject to the setting's disciplinary procedure and this could lead to the termination of their contract.

Action taken will correspond to the seriousness and level of the breach of the confidentiality policy; however, all cases will be treated in a serious manner.

Sharing information with confidence

- Parents will have access to the records of their own children but will not have access to information about any other child.
- Personal records will be stored in a lockable filing cabinet within the provision and will be accessed only by staff members through the Manager/Supervisor.
- Information given will be shared on a need to know basis with the child's key person, other team members in the child's play room and other professionals. This will only be done with the consent of the parent/carer or in cases of safeguarding issues.
- Issues relating to the employment of staff, whether paid or unpaid, will remain confidential to the people directly involved with making workforce decisions.

Access to personal information procedure

Parents may request access to records held on their child by following this procedure.

- Any request to see the child's **personal record** by a person with parental responsibility must be made to the Manager/Supervisor in writing. (Where a verbal request is made the following process will still be applied).
- The Manager/Supervisor will reply with a written acknowledgement.
- The setting commits to providing access within..... (insert as appropriate) days.
- Any third parties will be contacted in writing stating that a request for disclosure has been received, and asking for their permission to disclose, to the person making the request. Copies of these letters are retained for the file.
- Third parties, including family members, who may be referred to in the records, as well as workers from other agencies such as the Lincolnshire Safeguarding Children's Board, can refuse consent to disclose, preferring the individual to go directly to them.
- When all consent/refusals to disclose have been received these are attached to the copy of the request letter.
- A copy of the file is taken.

- Where a third party has refused disclosure of information, these references will be edited and as much information supplied as is possible.
- The information will be supplied either in hard copy format or on screen.
- The child's parent/carer may **verbally** request to see **their** child's **Learning and Development Record** at any time, to read or to make a contribution to. This request can be made to their child's Key Person and can be accessed at any time.

Data Protection

(Setting name) is required to keep and maintain records to comply with Ofsted registration and the legal requirements in the EYFS. We are aware of the requirements of the Data Protection Act 1998 and comply with the principles which state that personal data must be:

- Obtained and processed fairly and lawfully.
- Held for lawful purpose.
- Used only for the purpose stated.
- Accurate and up to date.
- Held no longer than the required time.
- Accessible to the individual concerned or individuals with parental responsibility.
- Appropriately secure.
- Disclosed only using the access to information procedure.

We have checked the requirements of the Data Protection Act 1998 and are registered.

Parents/Carers will be required to sign to consent to necessary information being held.

Useful information and data protection registration/exemption – www.ico.gov.uk

This policy has been adopted by: (setting name)

Signed on behalf of the setting by:

..... *Chairperson/Owner (delete as appropriate)*

..... *Secretary/Manager (delete as appropriate)*

Date:

Review Date: