



FEVERSHAM
FIRST STEPS UNDERCLIFFE

CONFIDENTIALTY & DATA PROETCTION POLICY

UPDATED SEPTEMBER 2018

CONFIDENTIALITY & DATA PROTECTION POLICY

Working with children brings us into contact with confidential & sensitive information. It is a legal requirement for the nursery to hold information about the children and their families, this information is used for registers, invoices and emergency contacts. All records are stored in a locked cabinet (in line with Data Protection registration) in the managers office where management and senior staff are situated. At time when there is no management or senior staff inside of the office, it remains locked.

It is our intention to respect the privacy of children and their families and we will do so by:

- Storing confidential records in a secure filing cabinet
- Ensuring that all staff, volunteers and students are aware that this information is confidential and for use within the nursery by appointed staff only
- Ensuring that parents have access to files and records of their own children but not to those of any other child
- Gaining parental permission for any information to be used other than for the above reasons
- Ensuring the staff, through their close relationship with both the children and their parents, learn more about the families using the nursery
- Ensuring all staff are aware that this information is confidential and only for use within the nursery setting only. If any of this information is requested for whatever reason, the parent's permission will always be sought
- Ensuring staff do not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs
- Ensuring staff, students and volunteers inductions include an awareness of the importance of confidentiality in the role of the key person. If staff breach any confidentiality provisions, this may result in disciplinary action, and in serious cases, dismissal. Students on placement in the nursery are advised of our confidentiality policy and required to respect it
- Ensuring staff, students and volunteers are aware of and follow our social networking policy in relation to confidentiality
- Ensuring issues concerning the employment of staff remains confidential to the people directly involved with making personnel decisions
- Ensuring any concerns/evidence relating to a child's personal safety are kept in a secure, confidential file and shared with as few people as possible on a "need-to-know" basis. If, however, a child is considered at risk, our safeguarding policy will override confidentiality

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 kept in the classroom and can be accessed, and contributed to, by staff, the child and the child's parents
- Tapestry - our online developmental tracking software is very secure and only parents and authorised staff have access to children's developmental records. This is only used within the setting and parental access is authorised by the manager. Key persons have their unique pin to access their children's records only

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2: PERSONAL RECORDS:

- These include registration and admission forms, signed consents, and correspondence concerning the child or family, reports or minutes from meetings concerning the child from other agencies, an on-going record of relevant contact with parents, and observations by staff on any confidential matters involving the child, such as developmental concerns or safeguarding matters
- These confidential records are stored in a lockable file or cabinet and are kept secure by the person in charge
- Parents have access to the files and records of their own children but do not have access to information about any other child. These files are kept in a locked filing cabinet
- 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

ACCESS TO PERSONAL RECORDS

Parent/carers may request access to any records held on their child or family following the procedure below:

- The setting commits to providing access within 14 days - although this may be extended
- The setting's manager/area manager or Director prepares the file for viewing
- 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, a copy of these letters is 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
- The setting manager/area manager/director 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 thoroughly 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

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

This policy was reviewed by management on: 24.09.18