

Confidentiality Policy



Statement of intent

At Little Cherubs Day Nursery, it is our intention to respect the privacy of children, their parents, carers and staff, while ensuring that they access high quality nursery care and education. We are lawfully bound to share some information with public authorities under our safeguarding responsibilities. We also share some information with settings when your child transfers. We also work in partnership with other agencies in the best interests of your child.

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.

Methods

To ensure that all those using - and working in - the nursery can do so with confidence, we respect confidentiality in the following ways.

- Staff will not discuss personal information given by parents with other members of staff, except where it affects planning for or meeting the child's needs. All personal information is kept in a cabinet in the office for which is locked when unoccupied and only the management and seniors have keys.
- Staff induction includes an awareness of the importance of confidentiality in the role of the key person and is given a copy of this policy to adhere to.
- Any concerns/evidence relating to a child's personal safety are kept in a secure, confidential file and are shared with as few people as possible on a "need-to-know" basis. Any incidents that take place out of nursery are put in the incident book and the parents and nursery manager must sign and date it. This information is kept between the parent, manager and relevant staff.
- Any concerns/evidence relating to a child's personal safety will be shared with the parents/carers unless we feel this may put the child in further harm, this information is shared with as few people as possible on a need to know basis and will be passed onto social services and other relevant agencies by the nursery manager.
- Personal information about children, families and staff is kept securely in a lockable filing cabinet in the office whilst remaining as accessible as possible. The management and seniors are the only key holders for these files.
- The role of the child's key person is to ensure parents can share confidential information regarding their child with a member of staff who the parent and child feel comfortable with and with whom they have a good working relationship.
- Any information given to a key person is to be kept confidential and only shared on a need to know basis.
- Issues to do with the employment of staff, whether paid or unpaid, remain confidential to the people directly involved with making personnel decisions.
- Students on placement, when observing in the nursery, are advised of our confidentiality policy and required to respect it. Students need to get written confirmation from parents to observe any child or to complete any work on them.
- Any information received during the recruitment process is always kept confidential between the management team and candidates. All unsuccessful applications are shredded.
- Staff appraisals are conducted per our staff handbook, and any discussions that take place in this time are kept confidential between the staff member and the management team.

Information Sharing

All the undertakings above are subject to the paramount commitment of the nursery, which is to the safety and well-being of the child. Please see also our policy on child protection, which promotes information sharing where it may be protective to the child.

Additionally, we will follow guidance called, "Information Sharing; Guidance for practitioners and Managers", whereby we will share information, usually gaining consent if this is believed to be in the public interest. This includes the sharing of records with the next setting as appropriate and the guidance is followed.

The Manager and Designated Person for Safeguarding has also undergone the e-learning and will share information as they professionally judge necessary in the best interests of your child.

As a parent/carer you have consented to the sharing of information at registration.

Parent access to records

Parents may request access to any confidential records held on their child and family following the procedure below: (EYFS folders should be freely shared)

- Any request to see the child's personal file by a parent or person with parental responsibility must be made in writing to the manager.
- The setting manager informs the owner of the nursery and sends a written acknowledgement.
- The setting commits to providing access within 14 days, although this may be extended.
- The setting's manager and owner should prepare 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. Copies of these letters are retained on 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 leader and owner go through the file and remove any information which a third party has refused consent to disclose. A thick black marker is used, 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.

Room transition

A report is written by the key person when the child approaches the age necessary to move into the next room. This is shared with the parent and the next key person. Once the forms are completed and parents are happy and sign, transition sessions and times are set up. Each day the child will

spend some time in the room alongside their new key person forming a relationship to ensure secure attachments are made. Initially the child's existing key person or a member of staff from the existing room will help the child to settle by visiting with them during their visits. Parents will receive daily feedback on their progress. Once the child has settled into the room they officially move over.

Transferring records

We recognise that children sometimes move to another early year setting before they go on to school although many will leave our setting to enter a nursery or reception class. Records are shared to try to give the child the best possible start in the new setting.

A copy of key information is kept for a year on transition out of the setting and where we do not know or where the child is not transferring to another formal setting, we keep the records for two years.

- We prepare an EYFS Summary about the child for these transitions and involve parents and the receiving setting in this process. We prepare records about a child's development and learning in the EYFS in our setting; to enable smooth transitions, we share appropriate information with the receiving setting or school at transfer. Sometimes this will include their EYFS folder content and photos. For transfer to school, some local authorities provide an assessment summary format or a transition record for the setting, and we will use that rather than our Summary, if requested.
- Confidential records are shared where there have been child protection concerns per the process required by our Local Safeguarding Children Board. This information is posted or taken to the school or setting, addressed to the setting or school's designated person for child protection and marked confidential. A summary of the concerns will be made to send to the receiving setting or school along with the date of the last professional meeting or case conference. Some Local Safeguarding Children Boards will stipulate the forms to be used and provide these.
- Similarly, where a CAF has been raised in respect of any welfare concerns or we have raised concerns and are monitoring these, these will be sent and details of the lead professional will be passed on to the receiving setting or school, where applicable.

Retention of Records

We follow the Pre-School Alliance recommendations with regards to children's records. These include medication charts and accident forms/ reports. These are kept when the child has left the setting until after the next Ofsted inspection.

In terms of reportable accidents, deaths, disease or dangerous occurrences, we retain records for a period of three years after the incident.

Working in partnership with other agencies

We work in partnership with local and national agencies to promote the well-being of all children.

Procedures

We work in partnership with local and national agencies to promote the well-being of children.

We have procedures in place for the sharing of information about children and families with other agencies, stated as above.

Information shared by other agencies with us is regarded as: third party information. This is also kept in confidence and not shared without consent from that agency. When working in partnership with staff from other agencies, we make those individuals welcome in our setting and respect their professional roles. We follow the protocols for working with agencies, for example on child protection. We ensure that staff from other agencies do not have unsupervised access to the child they are visiting in the setting and do not have access to any other child(ren) during their visit. Our staff do not casually share information or seek informal advice about any named child/family. When necessary, we consult with and signpost to local and national agencies who offer a wealth of advice and information that help us to develop our understanding of the issues facing us and who can provide support and information for parents. For example, ethnic/cultural organisations, drug/alcohol agencies, welfare rights advisors or organisations promoting childcare and education, or adult education.

Agency staff and external private professionals (e.g. private speech and language therapist) do not have unsupervised access to any child(ren) during their time at the setting. They should be visible to others and where possible an employed member of the setting will be present working alongside the professional.

External professionals will be required to produce ID, up to date DBS details and professional status and this information will be kept on file during the time that they are working within the setting. If this is a regular arrangement, an Agreement needs to be drawn up detailing where sessions will take place and the number and duration of session and consent from parents will be obtained.

By following this policy, we ensure we meet our responsibilities under the Data Protection Act (DPA) 1998 and where relevant the Freedom of Information Act 2000.

This policy was reviewed in October 2022 by Kayleigh Wadsworth