



Confidentiality Policy

Statement of Intent

It is our intention 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. Please refer to the Data Protection Policy and Data Retention Document.

Legislation relating to Confidentiality:

1992 – United Nations Conventions on the Rights of the Child

1998 – Human Rights Act

1999 – Protection of Children Act

1998 - Data Protection Act

2018 – General Data Protection Regulations

Aims

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.

We meet the requirements of the Human Rights Act 1998 with regard to protecting the individual's rights to a private family life, home and correspondence. Our only justification to interfering with this right is where we believe that a child may be at risk of significant harm, to prevent a crime or disorder.

We meet the requirements of the Data Protection Act 2018 with regard to the information we gather from or about families, how we gather it, store it and use it.

We have regard to the Common Law Duty of Confidentiality and only share information with other professionals or agencies on a 'need to know' basis, with consent from parents, or without their consent in specified circumstances to do with safeguarding children.

Practice

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

Developmental records

These include observations of children in the setting, samples of their work, summary developmental reports and records of achievement (including photos). They are usually kept in the office and can be accessed, and contributed to, by staff, the child and the child's parents. Parents have free access to developmental records for their child and will be able to input into these documents.

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 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 the office and in the children's 'profiles' in a cabinet and are kept secure by the person in charge in a suitably safe place.

Parents may request access to all written information about their child (except where data protection laws stipulate it is against the best interests of the child to do so). Parents do not have access to information about any other child. Staff will only discuss personal information given by parents with other members of staff, on a need to know basis. Staff induction includes an awareness of the importance of confidentiality in the role of the key person.

Personal details relating to diet, allergies & child collection arrangements are shared with all staff.

Information Sharing

There are times when we are required to share information about a child or their family without first obtaining parental permission. This would be when there are concerns a child is, or at risk of, suffering significant harm or there are concerns about 'serious harm to adults' (such as domestic violence or other matters affecting the welfare of parents)

Where we may have concerns about a child in need, we would normally gain consent from families to share information. Where evidence to support our concerns is not clear we may seek advice from Children's Services. We would only share relevant information that is accurate, factual, non-judgemental and up to date.

In discussions with parents/carers staff will not discuss children other than the children of those parents/carers.

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.

General Data Protection Act 2018 (see separate policy for this)

Information is collected from parents about their children and information may be received from them about their previous early years setting. We hold this personal data and use it to: support the child's learning & development, monitor and report on the child's progress.