

Confidentiality Policy

Statement of intent

It is our intention to respect the privacy of children and their families, while ensuring that they access high quality care and education in our setting.

Aim

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

We are aware of our responsibilities under the Data Protection Act 1998 with regard to the information we gather from or about children, their families, staff, students and volunteers and our procedures enable us to meet the requirements with regards to gathering, storing and handling this information.

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 prior consent from parents or carers, or without their consent if we believe the child's welfare or safety may be at risk.

Records we keep

We keep these records on children that attend our setting:

Developmental Records/Learning Diaries

- These include observations of children in the setting, samples of their work, learning stories and 2 year old progress checks.
- These records are kept in or just outside the room in which the child attends in the child's box and can be accessed, and contributed to by staff, the child and the child's parents.
- Parents have free access to developmental records/Learning Diaries for their child and are encouraged to contribute to these records.

Personal Records

- These include registration forms, signed consent forms, and any information concerning the child from other agencies with regards to development for example minutes from meetings with the speech therapist, information with regard to child protection matters or information that is of a sensitive nature is kept in a separate file.
- These confidential records are stored in a lockable filing cabinet and only staff who are working with the child and planning for their needs have access to this information.

Sensitive or Highly Confidential Records

- These include any information with regards to child protection and any information that only needs to be shared on a need to know basis.
- These records are stored in a lockable filing cabinet in the office where only restricted management staff can have access.

Accident, Incident and Medicine Forms

- Each child has their own plastic wallet of forms in each of these files, these forms are confidential and are not shared with any other parents.

Parents have 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). A written request must be made by the parents to access personal files on their child, if any other family members or outside agencies request to see a copy of the child's file permission must be gained from the child's parents before this information will be shared. Parents do not have access to information about any other child.

Staff will not discuss personal information given by parents with any 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 their role.

Records we keep on staff, students and volunteers

Staff and volunteers

- We keep an individual file for each member of staff, this includes information such as address and contact details, interview information, employment history, disclosure number, health questionnaire, references, qualifications, contract and any other relevant information, these files are kept in a lockable filing cabinet in the office and only the owner and manager of the nursery have access to these files. Staff members can request access to their personal file.

Students

- We keep an individual file for each student that attends the setting, this file contains information such as address and contact numbers, days of placement, health needs and emergency contacts. These files are kept in the office and only the owner, manager and deputy manager have access to the information.

Information sharing

There are times we may be required to share information about a child or their family. These are when:

- There are concerns a child is or may be suffering significant harm
- The 'reasonable cause to believe' a child is or may be suffering harm is not clear
- There are concerns about serious harm to adults' (such as domestic violence or other matters affecting the welfare of parents)

Where we have concerns about the above, we would normally carry out the following:

- Explain to families about our duty to share information for the above reasons
- Gain consent from families to share information with an social care agency, this ideally should be in writing, if it is verbal and not in writing a note of this needs to be made on the child's file stating the date, name of person giving permission and the name of the person who permission was given to.
- We do not seek permission from parents to share information where we believe that a child, or sometimes a vulnerable adult may be endangered by seeking consent.
- Where we take a decision to share information without consent, it is clearly recorded in the child's file and the reason for this clearly stated
- Where evidence to support our concerns is not clear we may seek advice from North Somerset Social Care Team
- We will only share information that is accurate, factual, non-judgemental and up to date.

Staff and confidential information

- Staff are made aware of confidentiality during staff induction

- Staff may at times be required to have access to confidential information, this information needs to remain confidential and should not be discussed with other members of staff, or anyone outside of the nursery at any time
- Information about children, families, staff and other people that use the setting should be treated in a confidential manner at all times
- The disciplinary procedure will be followed if staff are found to be disclosing any confidential information

Students and confidential information

- It is part of the student induction to make all students aware of the importance of confidentiality in the setting, they are asked to sign to say they understand this
- If students are found to be disclosing confidential information their tutor will be contacted and their placement will be ended immediately
- If students are required to carry out observations as part of their placement only the child's initials or date of birth can be used as part of their records

Disposal of confidential information

- Any information that is no longer required and that contains confidential information such as addresses, names, contact details, old records and sensitive information is all destroyed in a cross cut shredder.

Other related documents: **Safeguarding Children Policy (Pg 104)**
 Duty of Care Policy (Pg 36)
 Registration Forms
 Staff Files
 Accident Forms
 Medicine Forms
 Incident Forms

All policy and procedure documents are subject to regular review
This Policy was reviewed: December 2012