

## **Confidentiality, Record keeping, Client Access to Records and Information Sharing**

### **Policy statement**

In our nursery, staff and managers have a 'confidential relationship' with families. 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. 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.

The storing and processing of personal information is governed by the Data Protection Act 1998. The LSU has a Data Protection Summary which the nursery abides by. Staff will have access to confidential information about children and their families which must be kept confidential at all times and only shared when legally permissible to do so and in the interest of the child.

Records should only be shared with those who have a legitimate professional need to see them. Staff should never use confidential or personal information about a pupil or her/his family for their own, or others advantage (including that of partners, friends, relatives or other organisations). *Staff have a responsibility to know what information can be shared in observations and assessments and other reports.*

Confidential information should never be used casually in conversation or shared with any person other than on a need-to-know basis. In circumstances where the child's identity does not need to be disclosed the information should be used anonymously.

There are some circumstances in which you are expected to share information about a pupil, for example when abuse is alleged or suspected. **In such cases, individuals have a responsibility to pass information on without delay, but only to those who need to know and with designated safeguarding responsibilities.** If a child – or their parent / carer – makes a disclosure regarding abuse or neglect, the member of staff should follow the setting's procedure.

We keep records for the purpose of maintaining our business. These include:

- Records pertaining to our registration.
- Financial records pertaining to income and expenditure.
- Risk assessments.
- Employment records of staff.
- Individual children's learning and development

## **Procedures**

### **Confidentiality**

- We will always seek permission from parents before sharing information with another party unless a child is deemed to be at risk of significant harm.
- Information shared between parents in a discussion or training group is usually bound by a shared agreement that the information is confidential to the group and not discussed outside of it.
- We inform parents when we need to record confidential information beyond the general personal information we keep (see our record keeping procedures) except in exceptional cases where data protection laws stipulate it is against the best interests of the child to do so.
- All records are the responsibility of the Students' Union and the nursery Management team, who ensure they are kept securely.
- All records are kept on the LSU secure server and FirstSteps data base and eyLog.
- Financial records are kept up-to-date for audit purposes.
- Staff records and safeguarding records are kept securely in locked storage.

#### **This means that staff:**

- are required to sign a Data Protection declaration on employment.
- need to know the name of their Designated Safeguarding Lead and be familiar with LSCB child protection procedures and guidance:
- are expected to treat information you receive about children and families in a discreet and confidential manner
- should seek advice from a designated safeguarding lead if you are in any doubt about sharing information you hold or which has been requested.
- need to be clear about when information can/ must be shared and in what circumstances
- need to know the procedures for responding to allegations against staff and to whom any concerns or allegations should be reported
- need to ensure that where personal information is recorded using modern technologies that systems and devices are kept secure.
- should not promise confidentiality to a child or parent, but should give reassurance that the information will be treated sensitively. If a member of staff is in any doubt about whether to share information or keep it confidential he or she should seek guidance from the Designated Safeguarding Lead.

### **Client access to records and information sharing**

To ensure the safe and efficient management of the setting, and to help ensure the needs of all children are met, we maintain records and obtain and share information with parents and carers, other professionals working with the child, and the police, social services and Ofsted, as appropriate.

Confidential information and records about staff and children is held securely and only accessible and available to those who have a right or professional need to see them.

Ashby Rd, Loughborough, Leicestershire LE11 3TE

 [Nursery@lsu.co.uk](mailto:Nursery@lsu.co.uk)

 [lsu.co.uk/nursery](http://lsu.co.uk/nursery)

 01509 234126 / 564068

Parents are given free access to developmental records about their child (learning journeys) which include; observations and photographs of children, samples of their work and summary developmental reports. These are kept on eyLog and can be freely accessed, and contributed to, by staff, the child and the child's parents except in exceptional cases where data protection laws stipulate it is against the best interests of the child to do so.

We enable a regular two-way flow of information with parents and carers, and between providers, if a child is attending more than one setting, and where requested, comments from parents are incorporated into children's records.

We ensure that all staff understands the need to protect the privacy of the children in their care and provide an area where staff may talk to parents/carers confidentially.

All the undertakings above are subject to the paramount commitment of the setting, which is to the safety and well-being of the child. Please see also our safeguarding children and child protection policy.

### ***Legal framework***

Data Protection Act 1998 (DPA) gives parents and carers the right to access information about their child that a provider holds. However, the DPA also sets out specific exemptions under which certain personal information may, under specific circumstances, be withheld from release. For example, a relevant professional will need to give careful consideration as to whether the disclosure of certain information about a child could cause harm either to the child or any other individual. It is therefore essential that all providers/staff in early year's settings have an understanding of how data protection laws operate.

### ***Related documents***

LSU data protection summary

Data protection declaration 2013

Safer working practise fro adults working with young children at Loughborough Campus Nursery.

Manager's signature .....

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Ashby Rd, Loughborough, Leicestershire LE11 3TE

 Nursery@lsu.co.uk

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