



Confidentiality Policy and Procedure

Policy Statement

At Whitchurch Pre-School, we respect and protect the privacy of children, their parents/carers, our staff and committee, while ensuring our families access high quality early years care and education. We promote an environment of respect with reference to confidential information relating to children, families, staff, committee and Whitchurch Pre-School itself.

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. There are record keeping systems in place that meet legal requirements: means of storing and sharing that information take place within the framework of the General Data Protection Regulations (2018) and Human Rights Act (1998).

Definition of Confidential Information

Confidential information is information of some sensitivity, which is not already lawfully in the public domain or readily available from another public source, and which has been shared in a relationship where the person giving the information understood it would not be shared with others.

Procedures

To ensure that all those using and working in Whitchurch Pre-School can do so with confidence, we respect confidentiality in the following ways;

- Parents have ready access to the files and records of their own children but do not have access to information about any other child. We check whether parents regard the information they share with us is to be regarded as confidential or not.
- Some parent's sometimes share information about themselves with other parents as well as staff; Whitchurch Pre-School cannot be held responsible if information is shared beyond those parents whom the person has 'confided' in.
- Parents are encouraged to read our policies and procedures; these are published on our website, there is a 'parent copy' in the foyer, and copies are available on request.
- At Whitchurch Pre-School, we inform parents when we need to record confidential information beyond the general personal information we keep. For example, with regard to any injuries, concerns or changes in relation to the child or the family, any discussions with parents on sensitive matters, any records we are obliged to keep regarding action taken in respect of child protection and any contact and correspondence with external agencies in relation to their child.

- Our staff discuss children's general progress and well being together in meetings, but more sensitive information is restrict to the Manager and the child's key person, and shared with other staff on a need to know basis.
- Staff induction includes an awareness of the importance of confidentiality, and especially in the role of the key person. All staff agree to adhere to the confidentiality policy by signing to state that they have read and understood it. Should a staff member not adhere to this confidentiality policy then the implementation of the disciplinary procedure will commence.
- Staff will not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs or for purposes of safeguarding the welfare of the child.
- Committee members also agree to adhere to the confidentiality policy by signing to state that they have read and understood it. Should a committee member not adhere to this confidentiality policy then the implementation of the disciplinary procedure will commence.
- Any concerns/evidence relating to a child's personal safety is kept in a secure, confidential file and is shared with our designated person responsible for child protection issues.
- **Our designated person for child protection issues is Becci Garner, supported by Helen and Marie.**
- We keep all records securely. Personal information about children, families and staff is kept securely in a lockable filing cabinet whilst remaining as accessible as possible, for operational purposes.
- Issues to do with the employment of staff, whether paid or unpaid, remain confidential to the people directly involved with making personnel decisions.
- Information relating to children, staff and others is kept in a manual file, or electronically on a secure device. The device is password protected with access limited to the Manager and Administrator. Any electronic documents relating to children will be stored as a manual document, and the electronic copy deleted at the earliest opportunity. Tapestry records are held on a secure database and protected by password and PIN numbers. Please refer to our Tapestry Policy for further information.
- Students, completing recognised qualifications and training, when they are observing in the Pre-School, are advised of our confidentiality policy and required to respect it.
- Outside communication by staff about your working day at the setting, children's names or even insinuation of a particular child, family or group directly or indirectly related to the pre-school setting or reference to your fellow work colleagues **is strictly forbidden**. This, most importantly, also includes social net working sites.
- All staffs' communications within the pre-school, regardless of its relevance, will remain confidential at all times. Moreover, staff are reminded that they hold a responsibility to their professional role as well as being an upstanding member of the community; to ensure that all conversations inside the setting and those outside the setting are not judgmental, suggestive or disrespectful to others. Those places may include: playgrounds, toddler groups, social outings to the local pubs, clubs, committee meetings and conversations at college and university lectures.

Breach of confidentiality by a member of staff constitutes a misconduct offence and, following investigation, may result in disciplinary action being taken against that person, in accordance with our disciplinary procedures.

Parent/Carer access to records procedures

Parents/Carers may request access to any confidential records held on their child and family at Whitchurch Pre-School following the procedure below:

- The parent is the 'subject' of the file in the case where a child is too young to give 'informed consent' and has a right to see information that Whitchurch Pre-School has compiled on them.

- 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 Manager will inform the Chairperson at Whitchurch Pre-School and send a written acknowledgement to the parent/carer. We are committed to providing access within 14 days, although this may be set aside in exceptional circumstances, and may be subject to third party consent.
- All third parties will be written to, stating that a request for disclosure has been received and asking for their permission to disclose. Copies of all correspondence will be held on file. Third party may refer to family members referred to in the records, worked from any other agencies i.e. Health Authority, Social Services etc. It is usual for agencies to refuse consent to disclose, preferring direct contact with the requesting individual. Members of our staff will also be informed, but we reserve the right under the legislation to override a refusal for consent or to just delete the name of the staff member and not the information. We may grant refusal if the member of staff as provided information that could be considered sensitive and place the staff member in danger should it be disclosed, or if that information is the basis of a police investigation. In each case, this will be discussed with members of staff and reasons recorded.
- When all consents/refusal have been received at Whitchurch Pre-School, these are attached to the request letter and a complete copy of the file will be taken.
- The Manager and Chair will ensure the file is accurate and recant any information where there is no permission to disclose. This may be done with a thick black marker.
- This remaining file, deemed the 'clean copy', is photocopied for the parents who will then be invited to discuss the content. The file will never be immediately handed over but gone through by the Manager so that it can be explained.
- It is an offence to remove material that is controversial or to rewrite records to make them more acceptable. Our recording procedures and guidelines ensure records reflect an accurate and non judgemental account of the work we have done with a family.

Whitchurch Pre-School reserves the right to seek legal advice before sharing a file, or if there are any controversial aspects of the content of a child's file. This might be where there is a court case between parents or where social care or police may be involved.

The law requires that the information we hold must be held for a legitimate reason, and must be accurate. If a parent says that the information we hold is inaccurate, then parents have a right to request it to be changed. However, this only pertains to factual inaccuracies. Where the entry is a matter of opinion, professional judgement, or represents a different view of the matter than that held by the parent, we retain the right not to change that entry, but we will record the parents view of the matter.

We will never 'under-record' for fear of the parent seeing, nor do we make 'personal notes' elsewhere.

Telephone advice regarding general queries may be made to The Information Commissioner's Office helpline 0303 123 1113.

This policy to be read in conjunction with the Pre-School Privacy Statement, Staff Disciplinary Policy and Safeguarding Policies.

This policy is reviewed annually, or as deemed necessary.

Policy reviewed and updated 14/6/2018

Signed.....H Roberts.....