



Safeguarding children

1.4 Confidentiality and access to records policy and procedure

Policy

What is 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.” [Taken from: Information Sharing: Practitioners Guide]

Policy statement

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. There are record keeping systems in place that meet legal requirements. The storing and sharing of information takes place within the framework of the Data Protection Act and the Human Rights Act.

Confidentiality procedures

- We always check whether parents regard the information they share with us to be regarded as confidential.
- Parents have ready access to the files and records of their own children but do not have access to information about any other child.
- Staff will not discuss personal information given by parents with 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 the role of the key person.
- Any concerns/evidence relating to a child’s personal safety are kept in a secure, confidential file and are shared on a ‘need-to-know’ basis.



- Some parents sometimes share information about themselves with other parents as well as staff; the setting cannot be held responsible if information is shared beyond those parents whom the person has 'confided in'.
- 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) – 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.
- We keep all records securely (see our record keeping procedures) - personal information about children, families and staff is kept in a lockable office whilst remaining as accessible as possible.
- Issues to do with the employment of staff, whether paid or unpaid, remain confidential to the people directly involved in making personnel decisions.
- Students on placement working towards recognised qualifications and training, when they are observing in the nursery, are advised of our confidentiality policy and required to respect it.

Procedures

Parents or carers may request access to any confidential records held on their child and family following the procedures below:

- 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 of the nursery.
- The Manager will send a letter of acknowledgement to the parent / parent representative.
- The Nursery will provide access with 14 days, although this may be extended.
- The Manager will 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 other agencies, including social services, the health authority, etc. It is usual for agencies to refuse consent to disclosure, preferring the individual to go direct to them.
- When all the consents / refusals to disclosure have been received these are attached to the copy of the request letter.
- A copy of the complete file is taken.

- The Manager will go through the file and remove any information which a third party has refused to disclose. This is best done with a thick black marker, 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 School House Nurseries, detailing the work initiated and followed by us 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 Manager, 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 nursery or another (third party) agency.

All the undertakings above are subject to the paramount commitment of the setting, which is to the safety and wellbeing of the child. Please see our policy on Child Protection for further detail.

Further guidance

- Information Sharing: Practitioner's Guide (HMG 2006)
- www.everychildmatters.gov.uk

This policy was updated and reviewed in:

Reviewed date	Name	Signature
September 2015	Stuart Watt	
May 2016	Stuart Watt	
August 2016	Stuart Watt	
September 2016	Stuart Watt	
April 2017	Stuart Watt	
April 2018	Lindy Baldwin	
August 2018	Lindy Baldwin	
April 2019	Lindy Baldwin	
May 2019	Stuart Watt	
January 2020	Stuart Watt	
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January 2022	Stuart Watt	
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