

**General Welfare Requirement:**

*The provider must take necessary steps to safeguard and promote the welfare of children.*

**Safeguarding Children****Confidentiality and client access to records****Policy statement**

*“Confidential 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”.*

*(Definition takes from ‘Information Sharing: Practitioners Guide’)*

*At Little Wonders, the staff and managers can be said to have a ‘confidential relationship’ with families. It is our intention to respect the privacy of children, their parents and carers, while ensuring that they access high quality early years care and education in our setting. 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 Data Protection Act and the Human Rights Act.’*

**EYFS key themes and commitments**

<b>A Unique Child</b>	<b>Positive Relationships</b>	<b>Enabling Environments</b>	<b>Learning and Development</b>
1.3 Keeping Safe	2.1 Respecting Each other	3.4 The wider context	
	2.2 Parents as Partners		

## **Confidentiality Procedures**

- *We always check whether parents regard information they share with us to be regarded as confidential or not*
- *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 share 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 in respect of child protection and any contact and correspondence with external agencies to their child.*
- *We keep all records securely (see 'Record Keeping Procedures')*

## **Client Access to Records**

*Parents may request access to any confidential records held on their child and family, by following the procedure below:*

- *Any request to see a child's personal file by a parent or person with parental responsibility must be made in writing to the Nursery Director/Nursery Manager.*
- *The Nursery Director/Nursery Manager will inform the Nursery Owner and will send the written confirmation of receipt of the request.*
- *Little Wonders commits to providing access within 14 days, although if necessary, the Nursery retains the right to extend this period.*
- *The Nursery Director/Manager will prepare the file for viewing.*
- *All third parties are written to, stating that a request for disclosure has been made and ask for their permission to disclose to the person requesting it. Copies of all dialogue and letters relating to this will be retained on file.*
- *'Third Parties' include all family members who may be referred to in the records.*
- *When all consents/refusals to disclose, have been received these are attached to the copy of the request letter.*

- *A photocopy of the complete file is taken*
- *The setting Director will go through the file and remove any information which a third party has refused consent to disclose.*
- *The information remaining, after the above process, is called the 'clean copy'*
- *The clean copy is the 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 Nursery Director/Manager, so that it can be explained.*
- *Legal advice may be obtained, before sharing a file, especially where the parent has possible grounds for litigation against the setting or another (third party) group.*

*All the undertaking above are subject to the paramount commitment of the setting, which is to the safety and well being of the child. Please see our policy on child protection.*

### **Legal framework**

- *Data Protection Act 1998*
- *Human Right Act 1998*

### **Further guidance**

- *Information Sharing: Practitioners Guide (HMG 2006)*
- *[www.everychildmatters.gov.uk/\\_files/ACBIBA35C20D4C42A1FE6F9133A7C614.pdf](http://www.everychildmatters.gov.uk/_files/ACBIBA35C20D4C42A1FE6F9133A7C614.pdf)*

This policy was adopted at a meeting of Little Wonders Nursery School

Held on: 1<sup>st</sup> September 2016

Date to be Reviewed: 1<sup>st</sup> September 2017

Signed on behalf of the Management Committee:

Name of Signatory: Tamara Tucker

Role of Signatory: Nursery Manager

