

# CONFIDENTIALITY POLICY

## Statement of intent

It is our intention to respect the privacy of children and their parents and carers, while ensuring that they access high quality pre-school care and education.

## 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.

## Methods

### *SHARING INFORMATION & RECORD KEEPING*

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.

### *CONFIDENTIALITY PROCEDURES*

To ensure that all those using - and working in - the pre-school can do so with confidence, we respect confidentiality in the following ways:

- Parents/ carers will only have access to the files and records of their own children;
- Staff will not discuss individual children with people other than the parents/ carers of that child, except for the purposes of curriculum planning or group management, or to communicate with other settings a child may be in;
- We will always check whether parents regard the 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; our pre-school can not be held responsible if information is shared beyond those parents whom the person has 'confided' in;
- Information given by parents/ carers to the pre-school will not be passed on to others without permission;
- Information relating to staff employment, paid or unpaid, will remain confidential to the people directly involved with making personnel decisions;
- Any concerns or evidence relating to a child's safety will be kept in a confidential file and will only be shared with the child's key worker and the chair;
- 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 regards 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;

- All visitors to the pre-school are made aware of our confidentiality policy and are required to respect it;
- We keep all records securely.

### *CLIENT ACCESS TO RECORDS PROCEDURES*

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

- Any request to see the child's personal file by a person with parental responsibility must be made in writing to the pre-school leader.
- The pre-school leader informs the chair of the management committee and sends a written acknowledgement.
- The pre-school commits to providing access within 14 days, although this may be extended.
- The pre-school's leader and chair of the management committee 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 any other agency, including social services, the health authority, etc. It is usual for agencies to refuse consent to disclose, preferring the individual to go directly to them.
- When all the 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 pre-school leader and chair of the management committee go through the file and remove any information which a third party has refused consent 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 setting, detailing the work initiated and followed by them in relation to confidential matters, known as 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 setting leader, 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 pre-school or another (third party) agency.
- All the undertakings above are subject to the paramount commitment of the pre-school, which is to the safety and well-being of the child. Please see also our Safeguarding and Child Protection policy.

**The legal framework for this policy is:**

- Data Protection Act 1998
- Human Rights Act 1998

**Issued October 2016**