Confidentiality & Data Protection Policy

Overview

All information on children, families and anyone working at pre-school is kept securely and treated in confidence. Information will only be shared if the parents/carers/staff/co-workers gives their permission or there appears to be a child protection issue. The details are easily accessible if any information is required for inspection by Ofsted.

We understand that at times, the work of the setting and with children and families will bring our staff into contact with confidential information. To ensure that all use and work in the setting can do so in confidence, confidentiality will be respected in the following way:

# Aims

* The setting will ensure that all information is stored and shared according to the regulations and guidance of the General Data Protection Requirements (GDPR) 2018
* Our aim is to work in an environment where you are happy that anything you tell us is kept confidential and other parents or adults cannot obtain your details.
* The setting will ensure staff are aware of the implications of the GDPR 2018 as it affects their roles and responsibilities within the setting.
* The setting will ensure it facilitates an open approach with the parents/carers with regard to its policies and procedures and the information that the setting holds on their child.

# Procedure

* Prior, written permission will be obtained to hold personal and emergency details on children and employees, including details of the child’s GP.
* All personal records will be stored in a secure location on site & office. For paper records this means, within safe storage. For computer records this means that files will be password protected. Security measures will be implemented for any portable media equipment.
* The safety and welfare of the children will be paramount; any disclosures relating to issues of child protection will be discussed with the relevant agencies and our child protection policy will be implemented.
* All children’s records will be available to the parents / carers of that child, but they will not have access to any information about other children. This includes having separate accident and incident reports to respect the confidentiality of the other children. Relevant staff will also have access to this information.
* Records and information will be made available to parents/carers upon request unless subject to an exemption. If for any reason a request is going to be refused, then this decision, and an explanation, will be communicated in writing.
* Staff will not discuss individual children, other than for purposes of planning / reviewing or group management, with anyone other than the parents / carers of that child without their permission.
* Any serious concerns / evidence relating to a child's personal welfare will be recorded and kept in a confidential file and will not be shared within the setting except with the necessary staff and the parents / carers. The exception to sharing information with the parents / carers is where doing so would put the child at significant risk of harm.
* Parents/carers will be made aware that as an early years education provider we have a duty to share/pass on child protection/safeguarding information to the next education provider.
* Personal information will not be released to external agencies without the prior permission of parents / carers. The exception to this is where doing so would put the child at significant risk of harm.
* The management, staff, volunteers and any other individual associated with the running or management of the setting will respect confidentiality by:
* Not discussing confidential matters about children with other parents/carers.
* Not discussing confidential matters about parents/carers with children or other parents/carers
* Not discussing individual children outside of the provision.
* Not discussing confidential information about staff members.
* Issues to do with the employment of staff, whether paid or unpaid, will remain confidential to those directly involved with making personnel decisions.
* Students and volunteers will be advised of our confidentiality and data protection policy and are required to respect and adhere to it.
* Staff failing to show due regard for confidentiality will be liable to disciplinary action under the provisions of the Disciplinary Procedure

**Complex Issues**

Data Protection, Freedom of Information, Confidentiality and Information Sharing is a complex area and the setting will seek advice from:

* Data Protection/GDPR <https://ico.org.uk/>
* Freedom of Information of information Act <https://ico.org.uk/>
* Bristol’s Information Sharing Protocol

<https://www.bristol.gov.uk/data-protection-foi/information-sharing-agreements>

* Guidance on the Transfer of a Child Protection Safeguarding File to another Education Setting

**Legislation**

GDPR 2018

Freedom of information Act 2000

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| **Date Agreed:** **Signed by:** **Signature:** | **Review Date:** **Signature:****Review Date:****Signature:** |
| **Committee Member****Role of Signatory =**  |

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| **Staff Member****Role of Signatory =**  |