



Children's Record Keeping and Confidentiality Policy

STATEMENT OF INTENT

At Totterdown Preschool it is our intention to respect the privacy of children and their parents and carers, whilst ensuring that they access high quality preschool care and education. 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. We are members of the ICO and adhere to the Privacy Principles set out in the GDPR. These being:

1. *You must have a lawful reason for collecting personal data and must do it in a fair and transparent way.*
2. *You must only use the data for the reason it is initially obtained.*
3. *.You must not collect any more data than is necessary.*
4. *It has to be accurate and there must be mechanisms in place to keep it up to date.*
5. *You cannot keep it any longer than needed.*
6. *You must protect the personal data.*
7. *Accountability: telling people what data you will collect and what you will do with it*
8.
 - *allowing them to see it after you have collected it*
 - *making any changes if it is incorrect*
 - *removing it if you have no legal right to hold it*
 - *not processing it if they don't want you to*
 - *informing other data processors if someone asks you not to use their data*
 - *letting people take their data away*
 - *taking account of objections to what you hold and do with their data*
 - *allowing people to ask you not to make any automated decisions about their data*

This policy and procedure is taken in conjunction with the our procedures for information sharing.

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 at Totterdown Preschool.

Procedures

We keep two kinds of records on children attending our setting:

Developmental records

- These include observations of children in the setting, photographs, video clips and samples of their work and summary developmental reports.
- These are kept electronically, stored on the Tapestry programme and can be freely accessed, and contributed to, by staff, the child and the child's parents using a password.

Personal records

- These include registration and admission forms, signed consent forms, and correspondence concerning the child or family, reports or minutes from meetings concerning the child from other agencies, an ongoing record of relevant contact with parents, and observations by staff on any confidential matter involving the child, such as developmental concerns or child protection matters.
- These confidential records are stored in a lockable cabinet within our setting and the key is kept by the Manager and Deputy.
- Parents have access to the files and records of their own children but do not have access to information about any other child.
 - We will only discuss confidential information with those who have parental responsibility for a child, unless instructed otherwise by those with parental responsibility or in a case of our Safeguarding policy applying.
 - A private area can be made available for parents who wish to discuss anything in confidence with a staff member.
 - Staff will not discuss personal information given by parents with other members of staff, except where it affects the care of, and planning for, the child's needs.
- On registering parents are asked to sign a section on our registration form stating they give agreement for information to be shared with other agencies, for example as part of the graduated response (SEND) or for transition. If their data then needs to be used for a different purpose they would be asked to sign a separate form to opt in, and to demonstrate that their consent was freely given, specific, informed and unambiguous for each purpose for which the data is being processed.

- All members of staff will be trained on the data protection requirements and Staff induction includes an awareness of the importance of confidentiality in the role of the key person.
- Staff will not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs.
- We retain children's developmental records for three years after they have left the setting, with the exception of accident records or SEND or safeguarding documentation that will be kept for a period of 21 years. These are kept in a secure, locked cabinet.
- Parents are able to withdraw their consent at any time and have the right to lodge a complaint with the Information Commissioner's Office by contacting ico.org.uk 0303 123 1113
- A breach of this policy can be considered to be gross misconduct by staff, and will be dealt with accordingly under the staff grievance and disciplinary policy.

Other records

- Issues to do with the employment of staff, whether paid or unpaid, remain confidential to the people directly involved with making personnel decisions.
- Students on training, when they are observing in the setting, are advised of our confidentiality policy and are required to respect it.

Legal Framework

Data Protection Act 1998

Human Rights Act 1998

General Data Protection Regulations 2018

Agreed by Claire Childs and Shamira Lumsden

Review on August 2021

STAFF ACKNOWLEDGEMENTS

I have read this policy and will adhere to it in future practice: