



EARLY YEARS

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 early years care and education in our setting.

Legislation relating to Confidentiality:

1991 – United Nations Conventions on the Rights of the Child

1998 – Human Rights Act

1999 – Protection of Children Act

Aims

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.

We meet the requirements of the Human Rights Act 1998 with regard to protecting the individual's rights to a private family life, home and correspondence. Our only justification to interfering with this right is where we believe that a child may be at risk of significant harm, to prevent a crime or disorder.

We meet the requirements of the Data Protection Act 1998 with regard to the information we gather from or about families, how we gather it, store it and use it.

We have regard to the Common Law Duty of Confidentiality and only share information with other professionals or agencies on a 'need to know' basis, with consent from parents, or without their consent in specified circumstances to do with safeguarding children.

Practice

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

Developmental records

- These include observations of children in the setting, samples of their work, summary developmental reports and records of achievement (including photos).
- They are usually kept in the classrooms and can be accessed, and contributed to, by staff, the child and the child's parents.
- Parents have free access to developmental records for their child and will be able to input into these documents.

Personal records

These include registration and admission forms, signed consents, 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 both in the school office & in the children's 'red files' in a cabinet and are kept secure by the person in charge in a suitably safe place.

Parents may request access to all written information about their child (except where data protection laws stipulate it is against the best interests of the child to do so). Parents do not have access to information about any other child.

Staff will only discuss personal information given by parents with other members of staff, on a need to know basis. Staff induction includes an awareness of the importance of confidentiality in the role of the key person.

Personal details relating to diet, allergies & child collection arrangements are shared with all staff.

Information Sharing

There are times when we are required to share information about a child or their family without first obtaining parental permission. This decision to share information without consent would be recorded in the child's file and the reason clearly stated. This would be when there are concerns a child is, or at risk of, suffering significant harm or there are concerns about 'serious harm to adults' (such as domestic violence or other matters affecting the welfare of parents)

Where we may have concerns about a child in need, we would normally gain consent from families to share information. This does not have to be in writing, but we would record in the child's file that we have gained verbal consent as a result of discussing a concern that we need to refer.

Where evidence to support our concerns is not clear we may seek advice from Children's Services (Early Help Hub). We would only share relevant information that is accurate, factual, non-judgemental and up to date.

In discussions with parents/carers staff will not discuss children other than the children of those parents/carers.

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, when they are observing in the setting, are advised of our confidentiality policy and required to respect it.

Access to personal records

Parents have a right to request access to pupil files. Where reference is made to other children these papers may be withheld. In general, file notes should be written with the knowledge that they may be viewed by parents. Accuracy is vital.

Reference should also be made to our policy on safeguarding children.

Data Protection Act 1998

King's Hawford School is the Data Controller for the purposes of the Data Protection Act. Information is collected from parents about their children and information may be received from them about their previous early years setting. We hold this personal data and use it to: support the child's learning & development, monitor and report on the child's progress, provide appropriate pastoral care and evaluate our own provision.

Information we collect includes both contact details and EYFS assessment records, attendance information, characteristics such as ethnic group, special educational needs and any relevant medical information.

We are required by law to pass information to the Local Authority (LA), and the Department for Education (DfE). The data is only used for specific purposes as allowed by the law.

What Happens to The Data?

The Local Authority (LA) uses the information about children for whom it provides services to carry out specific functions for which it is responsible, such as the assessment of any special education needs the child may have. It also uses the information to derive statistics to inform decisions on (for example) the funding of early years settings, and to assess the performance of early years settings and set targets for them. The statistics are used in such a way that individual children cannot be identified. The LA is also required to maintain the accuracy of all information held about children and young people in their area.