



Danbury Pre-School

Registered Charity no: 1111808

Accredited PSLA membership no: 10584 DFES/Ofsted nos: 581607 / 542542

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Confidentiality And Client Access To Records Policy

Policy statement

Definition: *'Confidential information is 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.'* (Information Sharing: Practitioners' Guide)

In our setting, staff and managers can be said to have a 'confidential relationship' with families. 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. 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.

Confidentiality procedures

- We always assume parents regard the information they share with us to be regarded as confidential.
- 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 shared 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 regarding action taken

in respect of child protection and any contact and correspondence with external agencies in relation to their child.

- We keep all records securely (see our record keeping procedures).
- Staff do not take photographs with their camera phones.

EYFS key themes and commitments

General Welfare Requirement: Safeguarding and Promoting Children’s Welfare

The provider must take necessary steps to safeguard and promote the welfare of children.
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A Unique Child	Positive Relationships	Enabling Environments	Learning and Development
<i>1.3 Keeping safe</i>	<i>2.1 Respecting each other 2.2 Parents as partners</i>	<i>3.4 The wider context</i>	

Client access to records procedures

Parents 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 parent or person with parental responsibility must be made in writing to the setting leader or manager.
- The setting leader informs the chairperson of the management committee and sends a written acknowledgement.
- The setting commits to providing access within 14 days, although this may be extended.
- The setting’s leader or manager and chairperson 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 setting leader and chairperson 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. This is called 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 setting or another (third party) agency.

All the undertakings above are subject to the paramount commitment of the setting, which is to the safety and well-being of the child. Please see also our policy on safeguarding children and child protection.

Children's records

Policy Statement

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.

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

EYFS key themes and commitments

General Welfare Requirement: Documentation

Providers must maintain records, policies and procedures required for the safe and efficient management of the settings and to meet the needs of the children.

A Unique Child	Positive Relationships	Enabling Environments	Learning and Development
<i>1.2 Inclusive practice</i>	<i>2.1 Respecting each other</i>	<i>3.1 Observation, assessment and planning</i>	

Procedures

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

Developmental records for children within the Early Years Foundation Stage

- *These include observations of children in the setting, photographs, video clips and samples of their work and summary developmental reports.*
- *These are usually kept in the office or playroom and can be freely accessed, and contributed to, by staff, the child and the child's parents.*
- *The staff take home the children's learning journey but understand the importance of keeping these records confidential and keep them out of the setting for the minimum amount of time required to update them.*
- *We have a designated member of staff at each setting who is responsible for keeping confidential the digital images before they are printed.*
- *Digital images stored on computers are password protected.*

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 the main hall (at St. John's site) and a lockable cabinet (at URC Hall site) and are kept secure by the person in charge.
- Parents have access, in accordance with our Client Access to Records policy, to the files and records of their own children but do not have access to information about any other child.
- Staff will not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs. Staff induction includes an awareness of the importance of confidentiality.
- We retain children's records for three years after they have left the setting. These are kept in a secure place.

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 any recognised qualifications and training, when they are observing in the setting, are advised of our confidentiality policy and are expected to respect it.

Provider records

Policy Statement

We keep records for the purpose of maintaining our business. These include:

- *Records pertaining to our registration.*
- *Landlord/lease documents and other contractual documentation pertaining to amenities, services and goods.*
- *Financial records pertaining to income and expenditure.*
- *Risk assessments.*
- *Employment records of staff.*

Our records are regarded as confidential on the basis of sensitivity of information, such as with regard to employment records and these are maintained with regard to the framework of the Data Protection Act and the Human Rights Act.

This policy and procedure is taken in conjunction with all relevant parts of this policy and Information Sharing policy.

EYFS key themes and commitments

General Welfare Requirement: Documentation

Providers must maintain records, policies and procedures required for the safe and efficient management of the settings and to meet the needs of the children.

A Unique Child	Positive Relationships	Enabling Environments	Learning and Development
1.2 Inclusive practice	2.1 Respecting each other	3.3 The learning environment	

Procedures

- All records are the responsibility of the administrator, supervisors and officers of the management committee who ensure they are kept securely.
- All records are kept in an orderly way in files and filing is kept up-to-date.
- Financial records are kept up-to-date for audit purposes.
- Health and safety records are maintained; these include risk assessments, details of checks or inspections and guidance etc.
- Our Ofsted registration certificate is displayed.
- Our Public Liability insurance certificate is displayed.
- All our employment and staff records are kept securely and confidentially.

Legal framework for all records

- *Data Protection Act 1998*
- *Human Rights Act 1998*

This policy was adopted at a meeting of	Danbury Pre-School	name of setting
Held on	<u>22.03.11</u>	(date)
Date to be reviewed	<u>Annually</u>	(date)

Name of signatory

Katy LeGros

Role of signatory (e.g. chair)

Chair
