

## 7.6 Confidentiality and client access to records

### Policy statement

Definition: 'Confidential information is information that is not normally in the public domain or readily available from another source, it should have a degree of sensitivity and value and be subject to a duty of confidence. A duty of confidence arises when one person provides information to another in circumstances where it is reasonable to expect that the information will be held in confidence.'

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 General Data Protection Regulations (GDPR) and the Human Rights Act.

### Confidentiality procedures

- We take data protection seriously and should we feel there is a breach in practice we will investigate thoroughly, staff will be disciplined appropriately and parties involved will be informed of the breach.
- We 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; 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).
- All records concerning safeguarding are destroyed when the child leaves the setting, UNLESS the child is subject to a Child Protection plan when their notes will be passed to the new setting and signed for. If this is not possible then records are sealed and destroyed once the child is 26. in accordance with guidance from Surrey County Council and the NSPCC.

## **Client access to records procedures**

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

- A parent or person with parental responsibility may request to see the child's personal file at any time. We will respond within a month.
- Parents have the right to amend information if incorrect.
- Parents may request to have information deleted. However if it is a legal requirement to hold that information we may refuse this request.
- The setting may refuse to disclose information from another agency i.e. social services, preferring the parent to go directly to them.
- 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 child protection.

## **Privacy Notice:**

### **Information about children at St. Matthew's Preschool Redhill.**

At Preschool we take your privacy seriously and we are committed to ensuring that your personal data is protected in accordance with general data protection requirements (GDPR).

This privacy notice explains what personal data we collect, why we collect it and who we share it with.

We collect and hold personal information relating to our pupils. This information will include their contact details, dates of birth, attendance information, any exclusion information, where they go after they leave us and personal characteristics such as their ethnic group, any special educational needs they may have as well as relevant medical information.

We may also receive information about them from their previous setting, parents and guardians, other professionals and Surrey County Council.

We use this personal data to:

- support our pupils' learning
- monitor and report on their progress
- provide appropriate pastoral care
- assess the quality of our services.
- receive funding from Surrey C.C.
- offer places at the setting.

We will not give information about our pupils to anyone without your consent unless the law and our policies allow us to do so. If you would like to receive a copy of the information about your son/daughter that we hold, please contact our data protection officer (D.P.O). Preschool will respond within 1 month. There is no fee payable for this service.

We are required, by law, to pass certain information about our pupils to:

- Surrey County Council
- local schools/settings
- Ofsted
- Our insurance company

Information is kept in compliance with:

- the legal guidelines of the Early Years Statutory Framework (EYFS).
- Ofsted
- Surrey County Council
- GDPR guidelines

**When it is no longer a legal requirement to hold this data, the information is confidentially destroyed.**

For more information on how we handle your data please see our policies or speak to Allison Warner. The policies can be found on our website: <https://www.stmatthewspreschoolredhill.co.uk>

If you need more information about how Surrey County Council use your information, please visit:

- the Surrey County Council website at <https://www.surreycc.gov.uk/your-council/accessing-information-that-we-hold>

**Our Data Protection Officer is Allison Warner**

This policy was adopted at a meeting of

St Matthew’s Pre-School

Held on

\_\_\_\_\_ (date)

Date to be reviewed

\_\_\_\_\_ (date)

Signed on behalf of the management committee

\_\_\_\_\_

Name of signatory

\_\_\_\_\_

Role of the signatory