



Confidentiality, Access to Records and Record Keeping

Policy statement

'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.' (Information Sharing: Guidance for Practitioners and Managers (DCSF 2008))

The Hullbridge Pre-school 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 have access to 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 1998 and the Human Rights Act 1998.

Confidentiality Procedures

- We always 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 Hullbridge Pre-school 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).
- Sharing confidential information without consent is done only where not sharing it could be worse than the outcome of having shared it.

Access to records Procedures

Parents/Carers 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 manager.
- The setting manager informs the Director and sends a written acknowledgement.
- The setting commits to providing access within 14 days, although this may be extended.
- The setting's manager and the Director 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 manager and the Director go through the file and remove any information which a third party has refused consent to disclose. This is 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 manager, 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.

Record Keeping Procedures

At The Hullbridge Preschool we keep written information for parents, children's registration details including emergency contact details, an accident book, an incident file, safeguarding information, fire drill log, nappy changing log, individual children's records, daily register of staff / children / students and volunteers, medication details, learning journey files for each child, complaints file, staff records and a visitors and collections book.

Learning journeys are an open document and we encourage parents to contribute to them and children can access them with their key person during the session via Tapestry.

- Children's records must be kept in a locked cupboard or cabinet at all times.
- Staff must only have access to child data that is required to be used for the safety of the child, for example emergency contact numbers, care plan information etc.
- No personal records must be removed from site unless authorised by the Director, for example managers must not take records home.
- Any documentation that needs to be destroyed must be shredded.
- Documents that are required to be retained must be stored as per setting guidelines.
- Learning Journals and children's records will be given to parents when the child leaves the group for them to pass on, if they wish, to the child's next setting
- Where a study of a child needs to be completed as part of staff training or qualification, the member of staff will obtain permission from the child's parent/carer before the study commences. Consent is also requested on the registration forms.
- We will work in partnership with other settings the child attends if the parents provide consent for us to do so
- Staff understand the need to protect children's privacy (see confidentiality)

This policy was adopted at a meeting of (name of setting)
Held on (date)
Date to be reviewed (date)
Signed by
Name of Signatory
Role of Signatory (ie manager)