



## Confidentiality and Data Protection 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.

### 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. We refer to the governments [sharing of information guidance booklet](#).

### Methods

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

#### Developmental records

- These consist of: learning stories, summary assessments, individual planning sheets, communication profiles and records of home/ nursery meetings. All of these documents are stored in the child's individual learning journal or on the online journal 'Tapestry'. All such records are freely available to parents at all times.
- Any specific SEN records of development will be kept separately, in the child's [personal records file](#).

#### Personal records

- These include (as completed when the child starts at the setting):
  - Contract
  - Child record form
  - Signed consents
  - Signed photo permission forms
  
  - SEN records, to include:
    - My Plan
    - One page profile
    - Targeted outcomes (including review sheets)
    - Inclusion plans
    - Reports from outside agencies concerning the child's development
    - Reports of shared meetings relevant to the child's development
- These confidential records are stored in a lockable file or cabinet which is located away from the access of children, visitors or parents.
- Parents have access, in accordance with the access to records procedure, to the files and records of their own children but do not have access to information

about any other child (only those with named parental rights will be given access).

- Practitioners will not discuss personal information given by parents with other early years educator's, except where it affects planning for the child's needs. Staff induction includes an awareness of the importance of confidentiality in the role of the key person.

### **Other records**

- Issues to do with the employment of early years educator's, whether paid or unpaid, remain confidential to the people directly involved with making personnel decisions.

All staff are obliged to sign a confidentiality disclosure on starting work with at the setting to ensure they retain the confidentiality of all parents and children who attend the setting.

### **General Data Protection Regulation May 2018 (GDPR)**

In compliance with the stipulation of the GDPR all data is kept as shown above. Parents have a right to have access to all records at any time and information is only shared with permission (unless it is of a child protection issue).

Information such as invoices and news will be sent via e mail unless parents wish not to be contact in this way. Parent's e mail addresses will be deleted from the address book once the child has left nursery.

In accordance with guidance, information is kept for the following length of time once a child has left nursery:

Development and learning records – 1 year after the child has left

Child accident and medication records – 3 years after the child has left

Records of reportable injuries to children – 3 years after the date the record was made or until the child is 21 years <sup>1</sup>

Records of reportable deaths, diseases or dangerous occurrences to children – 3 years after the date a record was made

Records of reportable deaths, injuries, diseases or dangerous occurrences to adults – 3 years after the date the record was made

Adult accident and adult medication records, as specified by the Control of Substances Hazardous to Health Regulations (COSHH) – 40 years from the date of the last entry

Child protection records – Should be sent on to the child's new setting and then kept until the child is 24 years

Records of child protection allegation against an employee – 10 years

Complaints records – until the following Ofsted inspection

Insurance certificates – 40 years

Attendance records – 6 years

Early Education Funding records – 6 years

Records related to the capability of staff – 6 years after the staff member has left <sup>2</sup>

Redundancy details, calculations of payments, refunds, notification to the Secretary of State – 6 years from the date of redundancy <sup>2</sup>

Accounting records – 3 years from the date on which they are made

Income tax, National Insurance, Statutory Maternity Pay and Statutory Sick Pay records – 3 years after the end of the tax year to which they relate

<sup>1</sup> recommended due to the right to claim negligently or deliberately caused injury

<sup>2</sup> recommendation by the Chartered Institute of Personnel and Development

All actions concerning the child should take full account of his or her best interests. The state is to provide adequate care when parents or others with responsibility fail to do so.

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 safeguarding policy.

Policy reviewed May 2018