



Record Keeping, Information Management & Confidentiality

Legal Frameworks

Data Protection Act 1998

Human Rights Act 1998

Child Records

Developmental records

- These include observations of children in the setting, photographs and samples of their work and summary developmental reports.
- These are usually kept in the playroom and can be freely accessed, and contributed to, only by staff and the child's parents/guardians. They are kept in a locked room when the setting is closed.

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/guardians, 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 a lockable file or cabinet.
- Parents/guardians and members of the committee 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 discuss personal information about a child given by parents/guardians with other members of staff, unless the parent / carer specifically asks for it not to be shared. This ensures all the child's needs are met.
- We retain children's records for three years after they have left the setting. These are kept in a secure place.
- Only in extenuating circumstances are the Chair/Co-chair on the committee informed of information about a child.

Transfer of Child Records to School or Other Setting

We prepare records about a child's development and learning in the EYFS in our setting; in order to enable smooth transitions we share appropriate information with the receiving setting or school at transfer.

Regular visits from the William Westley Reception Class teacher, and visits to the school aid a smooth transition to the school.

Confidential records are shared where there have been child protection concerns according to the process required by our Local Safeguarding Children Board.

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	Date	
Record Keeping, Information Management and Confidentiality	4	21/05/2017
Record Keeping, Information Management and Confidentiality changes		01/09/2019
		Reviewed – no



Provider Records

- Issues to do with the employment of staff, whether paid or unpaid, remain confidential to the people directly involved with making personnel decisions.
- 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.
- Students on Pre-school Learning Alliance or other recognised qualifications and training, when they are observing in the setting, are advised of our confidentiality policy and are required to respect it.

Information Sharing & Confidentiality

We recognise that parents/guardians have a right to know that information they share will be regarded as confidential as well as be informed about the circumstances, and reasons, when we are obliged to share information.

We are obliged to share confidential information without authorisation from the person who provided it or to whom it relates if it is in the public interest. That is when:

- it is to prevent a crime from being committed or intervene where one may have been, or to prevent harm to a child or adult; or
- not sharing it could be worse than the outcome of having shared it.

The decision should never be made as an individual, but with the back-up of other professionals. The three critical criteria are:

- Where there is *evidence* that the child is suffering, or is at risk of suffering, significant harm.
- Where there is *reasonable cause to believe* that a child may be suffering, or at risk of suffering, significant harm.
- To *prevent* significant harm arising to children and young people or serious harm to adults, including the prevention, detection and prosecution of serious crime.

We will follow the 7 golden rules of sharing information:

1. Remember that the Data Protection Act is not a barrier to sharing information but provides a framework to ensure that personal information about living persons is shared appropriately.
2. Be open and honest. Explain to families how, when and why information will be shared about them and with whom. Seek consent to share information, unless it puts the child at risk or undermines a criminal investigation.
3. Seek advice when there are doubts about possible significant harm to a child or others.

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4. Share with consent where appropriate. Respect the wishes of children and parents/ guardians not to consent to share confidential information. However, in the interests of the child, know when it is reasonable to override their wish.
5. Managers are conversant with this and are able to advise staff accordingly.
6. Information shared should be accurate and up-to-date, necessary for the purpose it is being shared for, shared only with those who need to know and shared securely.
7. Reasons for decisions to share information, or not, are recorded.

Wherever possible, consent will be sought to share information, either through written consent forms (e.g. for photographs, child records) or verbal consent in some circumstances.

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