



## **Confidentiality Policy**

### **Policy Statement**

To protect the privacy / confidentiality of children, parents, carers and staff.

### **Aim**

To promote an environment of respect with reference to confidential information relating to children, families, staff and the business of Whitsers Pre-School Playgroup.

To ensure that parents and carers can share their information in confidence and know that it will only be used to enhance the welfare of their children.

### **Definition of Confidential Information**

'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'.

*(Source: Information Sharing Practitioners' Guide).*

### **How Everyone is Made Aware of the Confidentiality Policy**

**Parents** are made aware via the Welcome Pack and this policy, and are asked to sign to confirm understanding of it and that they will cooperate with it.

**Staff** have a confidentiality section included in their contracts, they are also made aware of confidentiality issues during their induction process. (Note: staff sign their agreement to Whitsers' Confidentiality policy to say that they are aware of, understand, and agree to the policy. If staff do not responsibly adhere to our Confidentiality policy we will implement the disciplinary procedure).

**Committee Members** are made aware of this policy at their first committee meeting. All committee members sign up to the Confidentiality policy.

**Students and volunteers** are asked to read a copy of the policy. Where applicable, they will also sign at induction to say that they are aware of the Confidentiality policy, understand and agree to the policy.

### **Sharing Information**

#### **Who is information shared with?**

**Parents** share information with the staff, their child's key person and the Committee.

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**Staff** share information with their line manager, the Committee, outside agencies i.e. insurance companies and the County Council (support staff, EYSO, BCSO, LSCB regarding the safeguarding policy etc.), and also with parents relating to their own child.

**Students** will have access to relevant information such as the Whitsers' policies and children's records if applicable, i.e. allergies.

The **Committee** will have access to information relevant to their role on the committee but must not discuss any information about the setting with parents or any other individual not connected to the setting (except in the proper course of their membership of the Committee).

**Other settings.** Where a child has other childcare provisions, such as a childminder or a second setting, Whitsers will discuss with parents the need to share information with other settings verbally and in written form, obtaining their signed permission where necessary. Other settings will also have to share information with Whitsers in the same way.

**Outside agencies.** Please note that on occasion it may be necessary to share information with other agencies. These include, but are not limited to, children's social care, the police etc. This would particularly apply to any child protection issue. Parents and carers will always be informed unless it is believed that this would place the child at risk of significant harm. This is also in line with our safeguarding policy and our inclusion policy. We also have a legal requirement to share some information, such as transfer forms passed on to schools.

### How Can Information Be Shared:

#### Parents / Carers with:

- Staff: Verbally with the child's key person, staff, manager and committee. Complaints should be made in writing.
- Committee: Verbally or in writing, for example in relation to complaints and fee invoices.
- Other Parents: The responsibility of parents sharing information with other parents lies with the parents. Whitsers cannot be held responsible if information is shared beyond those parents whom an individual has 'confided' in.

#### Staff with:

- Parents: Verbally in relation to children's progress and development. In writing, for example in respect of personal pathways. In documentation, for example, accident, incident, existing injury forms, safeguarding records etc. Through newsletters, parents evenings, the noticeboard and website etc.
- Staff: Personal interaction, Supervision meetings, staff meetings etc.

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- Committee: Verbally informally or at committee meetings, line management meetings and in writing where appropriate.

#### **Committee with:**

- Parents: Via the newsletter, emails, minutes of meetings and policies.
- Staff: Verbally informally or at committee meetings, through policies and procedures, induction procedures.
- Committee: Agenda for and discussion at committee meetings, emails etc.
- Outside agencies: In writing where necessary, for example in relation to reports on specific children, transfer forms to school, communication books with other settings.

### **Social Networking Sites**

With regard to all social networking sites, Whitsers feels that confidentiality should be paramount at all times. At no time should information about Whitsers, including the working of the organization, confidential business matters or discussion around children, families, staff and committee be posted. Photographs of children or staff are not to be put on to a social networking site, unless express permission is given.

Confidential information and / or slanderous, derogatory or libellous posts (linked to a complaint or otherwise) made on any social networking sites are not conducive to good parent / pre-school relations, and in any such case where relations between the parties involved cannot be repaired, Whitsers reserves the right to remove the child from the setting or refuse admission of any future children. Legitimate complaints about any Whitsers matters should be made direct to Whitsers following the procedure outlined in the Complaints policy and not aired in public during the course of any investigation.

### **Confidential Records**

#### **Children's Records**

At Whitsers, the following records will be kept on children: Developmental records (observations, developmental reports, samples of work, records of achievement (personal pathways); and Personal records (registration, admission, consent, safeguarding forms, minutes of meetings with family and other agencies etc..).

Safeguarding information is stored securely (in a locked cabinet) with the children's pathway and will be transferred with them to school. During any safeguarding investigation it may be necessary to store these records in a separate safeguarding file. Safeguarding matters will be shared with all appropriate outside agencies such as Social Services, the Police, LSCB and Ofsted etc.

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Children's records are locked away securely at the setting.

Staff have access to children's records in order to complete them and share them with parents. Parents have access to their children's files and records, but do not have access to information about any other child.

### Staff Records

Types of records for staff, students and volunteers:

- **Recruitment:** application forms, references and personnel files. Unsuccessful applicants are kept for a maximum of six months and then shredded.
- **Personnel file:** application form, references, CRB / DBS number, health forms, line management, appraisals, disciplinary records, qualifications, continual professional development record, sickness records including return to work interviews and sick notes and holiday record sheet.

Current staff records are kept in a locked cabinet at Whitsers. Archived records will be kept in a locked cupboard for the required timeframe after which they will be shredded or burnt.

The Play Leader, Chair of the Committee and committee will have access when required. Children's key work folders will remain at Whitsers at all times.

### Committee

The Trustees have access to children, family, staff, group and financial business records.

All records that the Trustees have access to are stored appropriately. Staff and children's records are on Whitsers' premises in a secure locked cabinet. Financial records are held with the treasurer. Administrative records are held with the secretary. All records are held safely, securely and inaccessible by non-trustees.

Within Whitsers, Trustees have designated roles which allow them access to confidential records. Within the trustees, specific members have responsibility for:

- Staffing: Line management, allowing access to staff files, including Sick, Holiday and Pay records.
- Financial: Allowing access to all Whitsers' financial records.

The above applies during the Trustees term of office.

Off site: On rare occasions it may be necessary for a trustee to hold staff records off site (such as a disciplinary investigation, allegation or complaint). Where this is necessary, they will be stored securely and only the trustee will have access to them.

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## Mobile Phones

Please see our separate Mobile Phone policy for full details. Whitsers' mobile phone is the only phone to be used in Whitsers (unless there is an emergency).

## Data Protection Act 1998

In essence, Data Protection means that organisations which process personal data must comply with certain Data Protection principles and the rights of the person about whom data is processed, for example children, staff and volunteers. There are eight principles put in place by the Data Protection Act which specify that data must be:

- Fairly and lawfully processed;
- Processed for limited purposes;
- Adequate, relevant and not excessive;
- Accurate;
- Not kept for long than is necessary;
- Processed in line with your rights;
- Secure, and
- Not transferred to countries outside the EU without adequate protection.

It is against the law if any organisation does not keep to these principles.

The Data Protection Act applies to all personal data, staffing, children, volunteers and parent data etc., either computerised or manual.

The Trustees, Committee members and staff must ensure that they do not breach the Data Protection Act 1998.

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