



We demonstrate tolerance and respect through child-led play

# Confidentiality and Information Sharing Policy

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# Confidentiality and Information Sharing Policy

## 1 Scope & Purpose

1.1 The purpose of this policy is to set out Croft Playgroup's position on confidential and information sharing in addition to the formal requirements for data protection which are set out in our General Data Protection Regulation Policy.

1.2 The policy applies to all members of staff at Croft Playgroup plus any volunteers, committee members, students or those on work placements.

1.3 This policy demonstrates the ways we ensure confidential data and information sharing is handled effectively, safely and securely, and shows we understand our responsibilities and obligations.

## 2 Outline

### 2.1 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 Advice for practitioners providing safeguarding services to children, young people, parents and carers 2018)

Our work with children and their families will bring us into contact with confidential information which will only be used to enhance the welfare of their children. 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. Parents and carers have a right to know and be informed about the circumstances, and reasons, when we are obliged to share information and we will be open and honest and explain to families how, when and why the information will be shared about them and with whom. It is a requirement for Croft Playgroup to hold information about the children and their families using the playgroup and working at the playgroup. 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).

### 2.2 Confidentiality procedures

It is our intention to respect the privacy of children and their families and we do this by following the procedure below:

- We always check whether parents regard the information they share with us to be 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. However, all staff and committee members must



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- challenge damaging or misleading gossip or hearsay. By not contributing to damaging or misleading gossip or hearsay and by reporting these incidents to the Manager or Deputy so this harmful practice can be challenged and managed.
- 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. 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. This includes health and safety records, development plans, financial records, contractual documentation, and employment records of staff, students and volunteers. We keep three types of records on children attending Croft Playgroup;
  - Developmental Record within the child's individual Learning Journeys, these are usually kept in the room and can be freely accessed and contributed to by staff, the child and the child's family.
  - Personal records. This includes registration and consent forms, on-going relevant contact information, correspondence concerning the child or the family from other agencies, observations from staff on any confidential matter such as safeguarding or developmental concerns. These are stored in a lockable cabinet and are kept secure by Croft Playgroup managers and admin team. Parents have access to the files and records of their own children but do not have access to information about any other child.
  - Class dojo provides a photo journey of each individual child, consent is given from their families when they join Croft Playgroup. Photos sent via this platform are for the viewing of the child and their families, consent for this platform is clear and families are given the choice in using it.
- Staff will not discuss individual children other than for the purposes of curriculum planning or group management with people other than parents/carers of the child.
- Information given by parents/carers to the pre-school leader or key worker will not be passed on to other adults/professionals without permission in accordance with our Safeguarding Children and Child Protection policy.
- Any anxieties/evidence relating to a child's personal safety will be kept in a confidential file with restricted access in accordance with our Safeguarding Children and Child Protection policy.
- Issues to do with the employment of staff, whether paid or unpaid will remain confidential to the people directly involved in making decisions in accordance with our Safeguarding Children and Child Protection policy.
- Students on Pre-school Learning Alliance or other recognised courses observing in the pre-school will be advised of our confidentiality policy and are required to respect and abide to it (See our Student placement policy). Students must check with the Manager or Deputy if unsure that information heard is confidential or not and must not partake in damaging or misleading gossip or hearsay. Instead they must be proactive to report to the Manager or Deputy any damaging or misleading gossip or hearsay, so this harmful practice can be challenged and managed.



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- Likewise, staff, bank staff and committee members will be advised of our confidentiality policy and are required to respect and abide by it.
- Staff and bank staff must check with the Manager or Deputy if unsure that information heard is confidential or not and must not partake in damaging or misleading gossip or hearsay. Instead, they must be proactive to report to the Manager or Deputy any damaging or misleading gossip or hearsay, so this harmful practice can be challenged and managed.
- Committee members must check with the Chair of the Committee or Manager if unsure that information heard is confidential or not and must not partake in damaging or misleading gossip or hearsay. Instead they must be proactive to report to the Chair or Manager any damaging or misleading gossip or hearsay, so this harmful practice can be challenged and managed.
- We keep all records securely.

All the undertakings above are subject to the paramount commitment of the pre-school to the safety and well-being of the child. (Please see our Safeguarding Children and Child Protection Policy).

### **2.3 Client access to records procedures**

Parents 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 Manager.
- The Manager will inform the Chair of the Committee who will send a written acknowledgement.
- The setting commits to providing access within 14 days, although this may be extended. Circumstances for extending the 14 day access are – absence of the Manager or Chair of the Committee which could render the 14 days as an insufficient timeframe to prepare the records, if the Manager or the Chair of the Committee need to seek advice to prepare the records (if they are new to their roles), if other professional involvement presents a delay or if the child or family are party to child protection or safeguarding concern.
- The Manager and Chairperson of the Committee 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 Manager and Chairperson of the Committee will go through the file and remove any information which a third party has refused consent to disclose. This is best done with a thick black marker pen, 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'.



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- 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 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.

#### **2.4 Information sharing procedures**

The Data Protection Act provides a framework to ensure that personal information about living persons is shared appropriately. The circumstances in which information can be shared are explained to parents at registration and they sign a form to say that they understand the circumstances when information may be shared without their consent. 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. This is when it is to prevent a crime from being committed or intervene where one may have happened 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 discussion with Croft Playgroup Manager's or if necessary, Croft Playgroups Chairperson. 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.

Information shared must 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. We will record decisions made and the reasons why information will be shared and to whom. Our Safeguarding Children Policy sets out how and where information should be recorded.

#### **2.5 Working in partnership with other agencies**

We work in partnership with local and national agencies to promote the well-being of all children.

- When working in partnership with staff from other agencies, we make those individuals welcome in the setting and their professional roles are respected.
- We follow the protocols for working with agencies, for example on child protection.
- Information shared by other agencies with us is regarded as third party information. This is also kept in confidence and not shared without consent from that agency.
- Staff from other agencies do not have unsupervised access to the child they are visiting the playgroup and do not have access to any other children during their visit.
- We may consult with local and national agencies for advice and information to help us develop understanding of issues facing us and who can provide support and information for parents.

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 our policy on Safeguarding Children and Child Protection.



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**2.6 Legal framework**

Data Protection Act (1998)

Human Rights Act (1998) Further guidance

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

Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (2018)

Information Commissioning Office

**This policy was adopted by Croft Playgroup**

Signed on behalf of the Croft Playgroup

Croft Playgroup Committee

Croft Playgroup Manager

Print Name: Katherine Chan

Print Name: Michelle Barrow, Helen Dearlove

Signed.....

Signed.....

Dated.....

Dated.....

*Date policy to be reviewed: November 2023 or earlier if required*