



## **Confidentiality & Data Protection Policy**

### **Overview**

We understand that at times, working with children and families will bring our staff into contact with confidential information. To ensure that staff members and service users can do so in confidence, confidentiality will be respected in the following way:

### **Aims**

- The setting will ensure that all information is stored and shared according to the regulations and guidance of the Data Protection Act 1998.
- The setting will ensure that the staff team are aware of the implications of the Data Protection Act 1998 in so far as it affects their roles and responsibilities within the setting.
- The setting will ensure it facilitates an open approach with the parents/carers with regard to its policies and procedures and the information that the setting holds on their child.

### **Procedure**

- Prior, written permission will be obtained to hold personal details on children and employees.
- All personal records will be stored in a secure location. For paper records this means, within lockable storage. For computer records this means that files will be password protected. Security measures will be implemented for any portable media equipment.
- The safety and welfare of the children will be paramount; any disclosures relating to issues of child protection will be discussed with the relevant agencies and our child protection policy will be implemented.
- All children's records will be available to the parents / carers of that child, but they will not have access to any information about other children. This includes having separate accident and incident reports to respect the confidentiality of the other children. Relevant staff will also have access to this information.
- Records and information will be made available to parents/carers upon request unless subject to an exemption. If for any reason a request is going to be refused, then this decision, and an explanation, will be communicated in writing.

- Staff will not discuss individual children, other than for purposes of planning / reviewing or group management, with anyone other than the parents / carers of that child without their permission.
- Any serious concerns / evidence relating to a child's personal welfare will be recorded and kept in a confidential file and will not be shared within the setting except with the necessary staff and the parents / carers. The exception to sharing information with the parents / carers is where doing so would put the child at significant risk of harm.
- Personal information will not be released to external agencies without the prior permission of parents / carers. However, the exception to this is where doing so would put the child at significant risk of harm.
- The management, staff, volunteers and any other individual associated with the running or management of the setting will respect confidentiality by:
  - Not discussing confidential matters about children with other parents/carers.
  - Not discussing confidential matters about parents/carers with children or other parents/carers
  - Not discussing individual children outside of the provision.
  - Not discussing confidential information about staff members.
- Issues to do with the employment of staff, whether paid or unpaid, will remain confidential to those directly involved with making personnel decisions.
- Students and volunteers will be advised of our confidentiality and data protection policy and are required to respect and adhere to it.
- Staff failing to show due regard for confidentiality will be liable to disciplinary action under the provisions of the Disciplinary Procedure

### **Complex Issues**

Data Protection, Freedom of Information, Confidentiality and Information Sharing is a complex area and the setting will seek advice on complex issues from:

- Data Protection <https://ico.org.uk/>
- Freedom of Information of information Act <https://ico.org.uk/>
- Bristol's Information Sharing Protocol  
<https://www.bristol.gov.uk/data-protection-foi/information-sharing-agreements>

### **Legislation**

Data Protection Act 1998

Freedom of information Act 2000

<b>This policy was adopted by:</b> Out There Out OF school	<b>Date:</b> July 2017
<b>To be reviewed:</b> July 2018	<b>Signed:</b> <b>Jenny Brough</b> <b>Janet Taylor</b>