



## **Confidentiality policy**

- **Policy statement**

- Definition: '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 understood it would not be shared with others.' (Information sharing: Practitioners' Guide) – see Information Sharing Guide folder.
- In our setting, staff and managers can be said to have a 'confidential relationship' with families. 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 the information in the confidence that it will be used to enhance the welfare of their children. There are record keeping systems in place that meet legal requirements; means of sorting and sharing that information take place within the framework of the Data Protection Act and the Human Rights Act.

- **Confidentiality procedures**

- We always check whether parents regard the information they share with us to be regarded as 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.
- 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 (see our record keeping procedures)- 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 contact and correspondence with external agencies in relation to their children.

- **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 setting leader or manager.
- The setting leader informs the manager and sends a written acknowledgment.
- The setting commits to providing access within 14days, although this may be extended.
- The settings' leader or the manager prepares the file for viewing.
- All third parties are written to, stating for request for disclosure has been received and asking for their permission to disclose to the person requesting it. Copies of the letter are retained on file.
- 'Third parties' include all family members who may be referred to in the records.
- It also includes workers from other agency, including social care, the health authority, etc. It is usual for agencies to refuse consent to disclose, preferring the individual to go to them directly.
- 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 setting leader and the manager 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, to score through every reference to the third party and the information they have added.

- What remains is the information recorded by the setting, detailing the work imitated and followed by them in relation to confidential matters. This is called the 'clean copy'
- The 'clean copy' is photocopied for the parents who are invited in to discuss the contents. The file should never be given straight over, but should be gone through by the setting leader, 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.

This policy was adopted at a Downside Children's Pre-school held

on \_\_\_\_\_

Signed on behalf of Downside Pre-school

by: \_\_\_\_\_

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