



## **Confidentiality and Data Protection**

We recognise that we hold sensitive/confidential information about children and their families and the staff we employ. This information is used to meet children's needs, for registers, invoices and emergency contacts. We store all records in a locked cabinet or on the office computer with files that are password protected in line with data protection regulations.

This policy will work alongside the Privacy Notice to ensure compliance under General Data Protection Regulation (Regulation (EU) 2016/679 (GDPR).

### **Legal requirements**

- ✿ We follow the legal requirements set out in the Statutory Framework for the Early Years Foundation Stage (EYFS) 2021 and accompanying regulations about the information we must hold about registered children and their families and the staff working at the nursery
- ✿ We follow the requirements of the General Data Protection Regulation (Regulation (EU) 2016/679 (GDPR) and the Freedom of Information Act 2000 with regard to the storage of data and access to it.

### **Procedures**

We respect the privacy of children and their families, and we do so by:

- ✿ Storing confidential records in a locked cupboard or on the office computer with files that are password protected
- ✿ Information shared electronically, such as referrals, should also be password protected.
- ✿ Ensuring staff, student and volunteer inductions include an awareness of the importance of confidentiality and that information about the child and family is not shared outside of the nursery other than with relevant professionals who need to know that information. Information is not shared with friends and family. If staff breach any confidentiality provisions, this may result in disciplinary action and, in serious cases, dismissal.
- ✿ Ensuring that all staff, volunteers and students are aware that this information is confidential and only for use within the nursery and to support the child's best interests with parental permission
- ✿ Ensuring that parents have access to files and records of their own children but not to those of any other child, other than where relevant professionals such as the police or local authority children's social care team decide this is not in the child's best interest
- ✿ Ensuring all staff are aware that this information is confidential and only for use within the nursery setting. If any of this information is requested for whatever reason, the parent's permission will always be sought other than in the circumstances above
- ✿ Ensuring staff do not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs
- ✿ Ensuring staff, students and volunteers are aware of and follow our social networking policy in relation to confidentiality
- ✿ Ensuring issues concerning the employment of staff remain confidential to the people directly involved with making personnel decisions



- Ensuring any concerns/evidence relating to a child's personal safety are kept in a secure, confidential file and are shared with as few people as possible on a 'need-to-know' basis. **If, however, a child is considered at risk, our safeguarding policy will override confidentiality.**

All the undertakings above are subject to the paramount commitment of the nursery, which is to the safety and well-being of the child.

**Areas that require confidentiality include:**

- All personnel team records including - contact details, employment contract and salary details, career history details, medical details.
- Parent/Carer personal details including - their financial situation, medical details, employment, any criminal record details etc.
- Personal child details including - medical details, any child protection information along with any other deemed sensitive information.


**General Data Protection Regulation (Regulation (EU) 2016/679 (GDPR) compliance**

In order to meet our requirements under GDPR we will also undertake the following:

- Be a member of and abide by the rules of the ICO (Information Commissioners Office)
- We will ensure our terms & conditions, privacy and consent notices are easily accessed/made available in accurate and easy to understand language
- We will use data only for the reasons detailed in the Privacy Notice. We will not share or use personal data for other purposes.
- Everyone in our nursery understands that people have the right to access their records or have their records amended or deleted (subject to other laws and regulations).

**Team Request for information**

Individual team may request to see their own personnel file at any time. In line with GDPR guidelines such information will be provided without delay and at the latest within one month of a request. In exceptional circumstances, the company will provide such information within three months, in such case the team member will be informed of the delay and reason for it.

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| This policy was updated: | Signed on behalf of the nursery:   | Date for Review: |
| July 2023                |  Julie Coackley | 2024             |