**Confidentiality**

Confidential information is ‘personal information of a private or sensitive nature’ that:

• Is not already lawfully in the public domain or readily available from another public source;

• Has been shared in a relationship where the person giving the information could reasonably expect it would not be shared with others. Confidential information may only be shared without authorisation from the person who provided it, or to whom it relates if it’s in the public interest – i.e. where not sharing it could be worse than the outcome of doing so. The three critical criteria for sharing information without consent, or overriding refusal to give consent, are:

• Where there is evidence that a 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. Parents have a right to request to see confidential records concerning their child. However, the pre-school is not obliged to hand over the file on demand. Parental requests to see their file must be in writing. If there is confidential information in the file relating to third parties, the pre-school will write to each of these for their consent before disclosure. Often agencies will refuse consent requesting parents go directly to them to see any records. Sometimes individuals may wish to remain anonymous and refuse consent.

Working with children and families will sometimes bring the staff into contact with confidential information from parents, carers, health visitors, daycare advisers, social services, and other agencies.

**Data:**

Abacus Pre-School maintains records, obtains and shares information where appropriate.

Eg, safeguarding, to ensure the safe and efficient management of the setting and to help ensure the needs of all children are met. Such records are retained for a reasonable period following the child leaving the setting.

**Policy:**

In order to maintain parents’/carers’ confidence in the members of staff, we will ensure that:

• All children’s records will be kept securely locked in our office/cabinet.

• Parents/carers will be given access to the files and records of their own child (subject to any Data Protection Act exemptions), but will not have access to information about any other child/family.

• Staff will not discuss any individual child, other than for purposes of curriculum planning, group management or to ensure that the needs of all children are met, with people other than the parents or carer of that child or those with a professional need to be included.

• Medical information held on file may be made available to the GP or Hospital Doctor in the case of an emergency.

• Development records, such as the Individual Development map (IDMS) will be transferred to the school when a child moves to primary school, this may include an identification of additional needs or disability.

• Information given by parents or carers to the Supervisors, your child’s key person or another member of staff will not be passed on to other adults outside of Pre-School staff without permission (except in a case of Safeguarding where other Agencies must be informed).

• Any information about a child’s medical needs or status (e.g. HIV) or concerns about Safeguarding issues will be kept in a separate file and will only be available to authorised personnel.

• Voluntary workers, students, and other visitors to the Pre-School will be made aware of the importance of confidentiality of the information and their responsibility in respect of it.

• If telephone requests are made for information the recipient should take the name, telephone number and agency and make a return call with such information as may be given, subject to this or any other relevant procedural note.

• Where a child is being observed by a student for a case study as part of course-work, direct permission will be sought from their parent/carer.

• Information about members of staff will not be given to anyone without the permission of that person (except in the case of safeguarding).

• Staff may request access to their personnel file. Access will be provided within 40 days of a request. Information disclosing the identity of third parties may be withheld where reasonable to balance the expectation of privacy of the third party.

• Issues to do with the employment of staff remain confidential to those directly involved in making personnel decisions.

• Data protection regulations will be followed and explained to parents. When your child becomes eligible for Free Entitlement or Early Years Pupil Premium, you will receive a Fair Processing Notice or Privacy Notice respectively, explaining Data Protection.

**Reviewed**: May 2021

**Next Review Date**: May 2022