

The Children's Workshop

Data Protection and Confidentiality Policy

EYFS: 3.69, 3.70

At the Children's Workshop 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 locked cabinets and/or on the office computers that are password protected in line with data protection principles. Any information shared with the staff team is done on a 'need to know' basis and treated in confidence. This policy will work alongside the Privacy Notice to ensure compliance under General Data Protection Regulation (Regulation (EU) 2016/679 (GDPR) and Tapestry Polices.

Legal requirements

- We follow the legal requirements set out by OFSTED and in the Statutory Framework for the Early Years Foundation Stage (EYFS) 2017 and accompanying regulations about the information we must hold about registered children and their families and the staff working at the Pre-School.
- 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.
- The Children's Workshop is registered with the Information Commissioners Office (ICO)

Procedures

It is our intention to respect the privacy of children, their families and staff and we do so by:

- Storing confidential records in locked filing cabinets and/or on the office computers that are 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 pre-school other than with relevant professionals who need to know that information. If staff breach any confidentiality provisions, this may result in disciplinary action and, in serious cases, dismissal. Students on placement in the pre-school are advised of our data-protection and confidentiality policy and required to respect it
- Ensuring that all staff, volunteers and students are aware that this information is confidential and only for use within the pre-school and to support the child's best interests with parental permission
- Ensuring that parents can 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 pre-school 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/child protection policy will override confidentiality.

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

Staff and volunteer information

- All information and records relating to staff will be kept confidentially in a locked cabinet and/or on the office computers that are password protected
- Individual staff may request to see their own personal file at any time

The records we keep:-

- Personal information, names, addresses, email, contact names, emergency contacts, medical conditions for staff, children and their families including bank and National Insurance numbers if/when applicable.
- Developmental reports, summative assessments and transition reports. These are held electronically on Tapestry and also in paper form.
- Any SEND meetings, action plans, ISPs, Send arrangements, medical reports/supporting evidence.
- Safeguarding records, meetings, telephone conversations about the child, EHCPs, Early help assessments and any records about looked after children.
- Dates and times of attendance and records of fees/financial information.
- Accident and injuries documents including medical intervention.
- Applications, Contracts, DBS information, Supervision & Appraisal information, medical and employment records for staff, students and volunteers.
- Local Authority Early Education funding application and information.

All our records are stored securely electronically and/or in paper format.

Ofsted may ask to see children's records as part of the inspections process or investigation.

Records are stored securely and are kept for 3, 7, 25 or 40 years depending on the data.

Parents may request at any time to see their child's records. To do so they must email/speak to the Senior Manager or Business Manager.

The Children's Workshop

Our Responsibilities

- All staff will keep completely confidential any information regarding their families or other staff, which is learned as part of employment at the Children's Workshop
- Staff will not discuss individual children, other than for the purpose of planning for their needs and group management, with people other than the parents of that child
- We will ensure that staff have a professional relationship with parents and do not become over familiar with particular parents within the pre-school
- We will ensure that all staff, students and volunteers are properly inducted in our confidentiality policy
- We will ensure that all staff, students and volunteers are aware of and follow our Safeguarding and social networking policy
- Any discussions regarding a child or incident will take place in private and only on Workshop premises
- The Manager will use her discretion regarding telephone conversations and suggest a face to face meeting in private
- Children's developmental records are held securely on Tapestry for parents. Transition reports will only be passed on to new settings /schools with parental permission.
- All areas of confidentiality must be adhered to at all times, at no time whilst in employment and after termination of employment are staff to divulge any information, parental details, working practices, policies or financial dealings
- When a member of staff is no longer employed by the Children's Workshop, their access to shared electronic records and Tapestry is removed
- Bank staff are not given access to a child's online or written records

Safeguarding

- All information concerning child protection and safeguarding concerns is stored securely in a locked cabinet which only managers have access to
- All emails of a sensitive nature will be sent via EGRESS (an email encryption application supported by Surrey CC)
- Managers will ensure that all information about children and parents is kept on Children's Workshop laptops/ipads that are password protected
- Occasionally it may be necessary to share information about a child with other agencies or professionals, or possibly social services or the police
- If we judge that information needs to be shared with other agencies, we will ask for consent from the parents/carers, except in exceptional circumstances in which the safety or welfare of the child might be jeopardised
- Information about children will be shared on a need to know basis

Photographs (see our 'Camera, Mobile Phone and Recording Device' and 'Tapestry' policies for more information)

- Photos of the children will only be taken using the Children’s Workshop cameras or ipads. These photos are downloaded into each child's individual electronic learning journal – Tapestry (see Tapestry policies)
- Permission from parents is required for photos to be downloaded onto Tapestry. Parental permission is also required for children to appear in group photos and also our website. If a parent is not happy about one or more of these uses, we will respect their wishes and find alternative ways of recording their learning journal
- Under no circumstance should any photos be shared on social media
- Parents are allowed to take photos and videos at our concerts but are not to share these on social media
- All photos are monitored by managers to ensure the safeguarding of the children (see ‘Camera, Mobile Phone and Recording Device’ policy)
- All photos are removed from Tapestry and website at the end of the year or as and when the child leaves the setting

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

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

1. We will ensure our policies & procedures, privacy and consent notices are easily accessed/made available in accurate and easy to understand language
2. We will use your data only for legal, legislative and legitimate purposes and will only contact you for legitimate purposes. We will not share or use your data for other purposes.
3. Everyone in our pre-school understands that people have the right to access their records or have their records amended or deleted (subject to other laws and regulations).

This policy was adopted on	Signed on behalf of the pre-school	Date for review
<i>September 2018</i>	<i>JB</i>	<i>September 2019</i>