

CONFIDENTIALITY, GDPR AND DATA PROTECTION

Rationale

This policy exists to protect children, parents, carers, families and staff and to ensure that everyone using the setting is absolutely clear about issues of confidentiality and what the setting's procedures and routines are in respect of this matter. Underpinning the policy is the setting's recognition that the safety and well-being of children, families and staff are of paramount importance, as is respect for the privacy of those involved. The General Data Protection Regulation and Data Protection Act 2018 regulates the way we handle and process personal data that we hold.

[Information/information_governance/gdpr_and_data_protection_act_2018](#)

This guidance will help providers and staff to take into account the relevant Health and Social Care Standards:

2.14 I am fully informed about what information is shared with others about me.

4.11 I experience high quality care and support based on relevant evidence, guidance and best practice.

This guidance will help providers and staff to take into account the relevant Quality Indicators from How Good is our Early Learning and Childcare: [How Good Is Our Early Learning and Childcare](#)

1.3 Leadership of change

1.4 Leadership of management and practitioners

2.1 Safeguarding and child protection

3.1 Ensuring well-being, equality and inclusion

This guidance will help providers and staff to take into account the relevant articles from the UN Convention on the Rights of the Child: [A](#)

[Summary of the UN Convention on the Rights of the Child](#)

Article 16 – right to privacy

This policy will be monitored by / through: Annual review, training records, complaints, parental feedback from parents and other professionals, monitoring of storage of confidential information

This policy will be reviewed in:	12 months
Review Date:	August 2025
Reviewed By:	Management

AIMS	OUTCOMES	IMPLIMENTATION
<ul style="list-style-type: none"> To ensure that appropriate children's records are kept in accordance with this policy To ensure the safety and wellbeing of the children in the setting To ensure that the employment and management of staff is confidential to the people directly involved To ensure children's rights are upheld in accordance with the UNCRC 	<ul style="list-style-type: none"> Parents or carers are informed of access to records being kept on their child. When information is being requested we will ask for the minimum amount of information required and we will be open with them about what we do with that information. Parents or carers have access to their child's records only Children's records including information about their families are kept in individual files and stored securely Files can only be accessed by an appropriate member of staff Children's details cannot be passed onto another person or people without the parent's or carer's prior knowledge and consent Visitors to the centre will be advised of the confidentiality policy and will be required to respect it Staff and other adults working in the centre do not talk publicly about matters relating to the children and their families Staff do not discuss individual children other than for the purposes of curriculum planning with any person(s) without the parent's/carer's knowledge and consent Any suspicions of abuse are reported to the appropriate agencies in accordance with the Child Protection Policy 	<ul style="list-style-type: none"> Discuss access to information with individual parents and carers explaining clearly what the information will be used for. Review procedures regularly and use the outcome to inform on-going practice Respond immediately to any confidentiality issues raised by parents or carers, staff or other professionals. Reporting any breaches in line with policy and procedure. Information Commissioner's Office Follow guidance in Health & Social Care Standards 2.14 & 4.11: Health and Social Care Standards How Good is Our Early Learning and Childcare Quality Indicators – 1.3, 1.4, 2.1, and 3.1 Review policy in relation to current data protection act and guidance. Annually review Child Protection procedures.

	<ul style="list-style-type: none">• Evidence relating to a child's personal safety is kept in a separate secure confidential file• Contents of such a file are open only to identified members of staff• Within and beyond our setting there is a shared understanding of wellbeing and children's rights• Parents or carers have access to records relating to their own child• Personnel records contain only relevant information that it is safe guarded effectively• Individual records are kept for each member of staff in confidential personnel files• Staff have access to their own personal record• Files are kept securely by the manager of the setting• Only the employee's manager has access to these files• Personal details of staff cannot be passed to another person without their prior knowledge and consent• Staff members do not talk publicly about: an individual's work performance, terms and conditions of employment for individual staff members, disciplinary or grievance matters in which they are directly involved.	<ul style="list-style-type: none">• Discuss with individual parents and carers as appropriate.• All staff understand their responsibilities as duty bearers to respect, promote and realise children's rights• Investigate and report any breach of procedures and routines specified in this policy and proceed with disciplinary action if a staff member is involved• All new staff to complete data protection module and information governance module in accordance with Angus Council policies and update this on an annual basis.• Review policy against the current Data Protection rules and guidance• Seek feedback from staff and use as appropriate to inform on-going practice
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