



Little Swans Day Nursery Confidentiality Policy

Reviewed: June 2014
Reviewed by: Elaine Boulton Nursery Owner

Statement of Intent

It is Little Swans 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.

Introduction

Working at Little Swans Day Nursery means having access, in a variety of ways, to information that must be regarded as confidential.

This policy applies to all staff employed by the nursery, including temporary and supply staff and to volunteers. Colleagues employed by other agencies that visit or are based at the nursery should have regard to this policy but will be covered by the policies of their employers.

Staff should also have regard to the requirements of other sections of the nurseries Data Protection Policy and the Child Protection Policy.

Aim:

To protect the children at all times and to give all staff involved clear unambiguous guidance as to their legal and professional roles to ensure good practice throughout the nursery which is understood by parent/carers and staff.

To ensure the guidance set out in this policy does not contravene the Data Protection Act 1998 and Freedom Act 2000. (See Little Swans Data Protection Policy: January 2012).

Rationale:

Little Swans Day Nursery seeks to put the children at the heart of the curriculum and to provide a safe and secure learning environment. It seeks to implement the underlying principles of the Every Child Matters agenda and the Early Years Foundation Stage Framework (EYFS), to address the issues which may arise about confidentiality.

We are committed to developing creative and positive ways for the child's voice to be heard whilst recognising the responsibility to use, hold and safeguard information received. Sharing information unnecessarily is an erosion of trust.

The nursery is mindful that all stakeholders place is in a position of trust and there is a general expectation that a professional approach will be used in all matters of confidentiality. Staff can not offer or guarantee absolute confidentiality and will act in the best interests of the children at all times. This applies to all parents as well as children in attendance at the nursery (See nursery safeguarding policy November 2011).

Objectives:

- To provide consistent messages in the nursery about handling information about children and their families once it has been received.
- To foster an ethos of trust within the nursery
- To ensure staff, parents and children are aware of the nurseries confidentiality policy and procedures.
- To reassure parents that the child's best interests will be maintained
- To encourage children to talk to their parents and carers
- Confidentiality is a whole nursery issue. Clear ground rules must be set for all areas/age groups
- Health professionals and outside agencies have their own code of practice when dealing with confidentiality. Staff should be aware of the individual needs of all children in their care
- Any information relating to children after they have left the setting will be retained for a reasonable period of time
- The use of cameras and recorders during public nursery events may be prohibited depending upon the parent/carers permission
- Information about children will be shared with parent/carers but only about their child at the nursery
- Parent/carers will not be allowed access to any other child's records/work at any time; this particularly applies at parent's evening. However parent/carers should be aware that information about their child be shared with other childcare providers, sharing care or when they move onto school or another setting.
- All personal information about children including children's services records should be regarded as confidential. It should be clearly understood by those who have access to it, and whether those concern have access at all, or to only some of the information. Information regarding health reports such as speech therapy, medical reports, SEN reports and minutes of meetings including reports from children's services will be circulated in envelopes and once read should be returned for secure filling.
- Logs of administration of medicine and accidents/incidents should be kept secure and each child will have their own individual log.
- Addresses and telephone numbers of parents and children will not be passed on expect in exceptional circumstances or to a receiving school or setting.
- All notes, briefing sheets etc...should provide anonymity
- Information about individuals associated with nursery, employed or otherwise will not be shared over the internet or any other social networking sites (See social networking policy)
- Computers used to store information and records at the nursery will be protected by a password and only accessed by staff that have prior permission from management (see E policy)

- All staff, visitors, students and volunteers in the nursery are bound by confidentiality and should not disclose any information about a child or divulge information about anyone connected to the nursery, to anyone beyond the nursery without individual/parental consent and approval from management.

In a nursery setting, where access is limited to the nursery community and to visitors, students on placement etc. by arrangement, it is appropriate for some less sensitive information to be displayed in rooms and on notice boards. These include:

- Names, ages and photos of children in the class with food allergies
- Individual educational programmes
- Health information where all staff need to be aware of possible risks e.g. children unable to take food by mouth, children with potential serious allergic reactions

Sensitive information should be stored in files or folders where they can be accessed by staff that need the information in the course of their duties but are not on open display to visitors etc. This includes:

- Home addresses and telephone numbers
- Routine medical information such as reports from hospital appointments
- Professional reports including Statements and Annual Reviews
- Routine information regarding home circumstances (family composition, housing needs etc.)
- Child observations

Highly Sensitive information should be stored under lock and key or on a confidential computer drive, where it can only be accessed by those who have a right to do so. This includes:

- Medical information of a highly sensitive nature
- Reports of home visits and family circumstances which require restricted circulation
- Child Protection reports (with coordinator only) and logs of incidents or concerns
- Personal information shared in confidence

The Forms Confidential Information Can Take

Confidential information can take various forms and be held and transmitted in a variety of ways, for example:

- Information known by individuals
- Manual records (files)
- Computerised records whether stored in internal directories or on disk
- Written reports/agendas/minutes/file notes etc.
- Letters, memos, messages
- Telephone calls
- Meetings
- Face to face conversations
- Fax

- E-mail
- Internet and intranet

Individuals and groups may acquire confidential information:

- As part of their day to day work (e.g. through contact with children, reading files, attending meetings, discussions with parents)
- Openly from an external third party (e.g. psychologists report)
- Inadvertently (e.g. overhearing a conversation, reading a memo or computer screen left unattended)
- Through disclosure (e.g. a member of staff may share personal information with their line manager)
- Improperly (e.g. by reading confidential material)

Responsibility of Individuals in Possession of Confidential Information

As a general rule staff at Little Swans should regard all information received in the course of their employment as confidential and potentially sensitive.

While it might be necessary to share such information, staff should think carefully before deciding whether it would be appropriate to do so, considering the following key points:

- The nature of the information
 - How sensitive is the information?
 - How did it come to your attention?
 - How confident are you of its accuracy?
- The appropriate audience
 - Who does the information need to be shared with?
 - For what purpose?
 - Who is the information being copied to? Why?
 - Should further access be restricted?
- The most appropriate method of communication
 - Verbal
 - Written
 - Fax
 - E-mail
- The potential consequences of inappropriate communication
 - For children
 - For families
 - For colleagues
 - For relationships between home and nursery

It is the responsibility of individual employees to safeguard sensitive information to which they have access. Information should not be passed on unless there is a clear need to do so.

The following list of particular responsibilities cannot be regarded as exhaustive. If staff is unsure as to whether information should be passed on in specific circumstances then they should seek advice from their line manager. It is always better to err on the side of caution, making it clear that the information concerned is confidential, and/or referring the enquiry to a line manager if necessary.

- Routine handling of information
 - Material displayed openly (e.g. on room noticeboards) should not include sensitive or highly sensitive information
 - Classroom/room files should not contain highly sensitive material and should only be referred to by members of the classroom/room team and others with a professional need to read them (e.g. line managers)
 - Sensitive information should be kept secure
- Staff who need to keep highly sensitive information should have access to lockable storage
- Documents should be put away unless they are being worked on
- Sensitive documents should not be left unattended or placed where they can be read by others on entering the room
- Filing cabinets should be kept locked when unattended
- Child main files should be logged out and recalled by the office if not returned on the same working day
- Copies of faxes and e-mails should be stored securely
- Private and confidential meetings and phone calls should take place where they will not be overheard
- Sensitive information should only be passed on by secure means, e.g. memo in sealed envelope, conversation in a secure area
- Highly sensitive paperwork should not be copied routinely and should be disposed of by shredding
- Personal data concerning a child should not be used for training purposes – fictional data should be used instead
- Confidential mail which is copied or forwarded internally should continue to be treated as such
- Letters addressed to an individuals by name are not routinely opened by anyone other than management, but in certain circumstances e.g. long term absence m may be opened by a senior member of staff such as supervisor if sanctioned to do so by management
- Computer data should not be left exposed to others view when unattended
 - Screen savers with passwords should be used when computers are unattended
 - Computer files should be closed when leaving the office
- Computer files should be kept securely
 - All work carried out on a computer should be stored safely in a personal directory or onto floppy disc which is stored securely
 - Separate drives should be used for confidential material
 - All users likely to be accessing confidential files should have individual passwords, which should not be disclosed to colleagues

- Highly sensitive information should be sent to other staff within the nursery via the internal e-mail rather than open drives
- Computer discs and drives should be wiped clean before reuse

Dealing with Third Parties

- If someone requesting information by telephone is not known to staff, his/her identity should be verified by phoning them back. It is a requirement of the data protection act that action is taken to ensure the validity of any caller. Wherever possible requests for information should be made and responded to in writing
- Students and volunteers etc. working with children should be given information on a need to know basis. Sensitive personal information about children should not be disclosed
- Children's real names should not be used in articles or course assignments
- Parents have the right to veto the use of photographs and videos outside nursery. Classroom staff should be aware of the situation for all children in their group
- Staff may sometimes be asked to pass on sensitive information as a result of being known to work in the nursery (e.g. parents may ask about another child or details of a child's family circumstances). In these circumstances staff should inform the enquirer that they are unable to discuss confidential matters. Persistent enquiries should be referred to management
- Staff should have regard to the potential difficulties which may arise as a result of discussions outside work. While it is natural (and may be therapeutic) to talk about work at home or socially, staff should be cautious about discussing specific and sensitive matters and should not pass on confidential information during such conversations. Even the closest of friends may pass on information gleaned in this way and may cause harm or distress to those involved or damage the relationship between home and nursery by jeopardising parents confidence in nursery staff
- Similarly staff should have regard to the harm which may be done by passing on information relating to children's in social conversation within nursery

Child Protection

- Staff involved in child protection cases should be fully aware of the relevant procedures including issues around the confidential information to which they will have access
- Staff should be aware that failing to maintain confidentiality in matters of child protection is likely to jeopardise the eventual outcome of any proceedings

The consequences of revealing confidential information without authority

Staff should ensure that they are familiar with the confidentiality policy and related guidance. While there is an expectation that staff will use their professional discretion in applying the policy, they should always seek advice from management or line manager where they are unsure.

Breaches of the policy will be regarded as misconduct and may therefore result in disciplinary action. This applies both in the case of willful disclosure or instances of careless handling of information. The severity of the sanction will be assessed with regard to the potential harm the disclosure could have caused to the individual concerned. Serious breaches of confidentiality could be regarded as serious or gross misconduct, which could result in a formal warning or dismissal.

Adopted by Management 2014

Monitoring and Evaluation

The policy will be reviewed as part of the nurseries monitoring cycle.

Conclusion

Little Swans Day Nursery has a duty of care and responsibility towards children, parent/carers, staff, students and volunteers. It also needs to work with a range of outside agencies and share information on a professional basis. The care and safety of the individual is the key issue and focal point behind this document.