



Little Firs Day Nursery

15. Confidentiality and Data Protection Policy and Procedures

This Policy and Procedure links to the following:

Legal Framework: Statutory Framework for the Early Years Foundation Stage: 3.69- 3.74, 3.77. General Data Protection Regulation (Regulation (EU) 2016/679 (GDPR) and Data Protection Act 2018.

Little Firs Policies & Procedures: Child Protection, Code of Conduct, Inclusion & Equality, Special Educational Needs and Disability, Observation, Assessment and Planning, Safer Recruitment, Staff Supervision, all E-safety Policies and Procedures and Whistle Blowing.

At Little Firs 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, iConnect, or on the office computer with files 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 Data Protection Act 2018.

Legal Requirements

- We follow the legal requirements set out in the Statutory Framework for the Early Years Foundation Stage 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), Data Protection Act 2018 and the Freedom of Information Act 2000 regarding the storage of data and access to it. Little Firs Day Nursery is registered with the ICO and our Registration Number is Z1798690
- Personal information shared with staff at the Nursery shall remain confidential unless the health and welfare of the child/children is in doubt, or it conflicts with the law, or permission to share that information has been sought from the individual concerned.
- Parents/carers have access to the files and records of their own child/children but will not have access to information about any other child. Requests made by telephone will be refused on the grounds that the person on the telephone cannot be verified.

Procedures

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

- Storing confidential records in a locked filing cabinet, iConnect, or on the office computer with files that are password protected. Nursery shall remain confidential within the organisations unless the health and welfare of the child/children is in doubt, or it conflicts with the law, or permission to share that information has been sought from the individual concerned.
- 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. It is not shared with friends and family, discussions on the bus or at the local bar. If staff breach any confidentiality provisions, this may result in disciplinary action and, in serious cases, dismissal. Students on placement in the nursery are advised of our confidentiality policy and required to respect it
- A confidentiality section is included in all staff employment contracts
- 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/child protection policy will override confidentiality.
- During their term in office as a committee member, they may be party to confidential information concerning the children, families or group users, and the group's financial business. Any information, which is received as a result of their position as a committee member, must remain confidential to them.
- During and after their term of office, they must not disclose or allow the disclosure of any confidential information
- Confidential issues must not be discussed with parents, or any other individual
- A confidentiality poster is displayed on the notice board
- All information and records relating to staff are kept confidentially in a locked cabinet and staff may request to see their own personal file at any time.

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

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 terms & conditions, privacy and consent notices are easily accessed/made available in accurate and easy to understand language
2. We will use your data only for us to meet the children's needs, for registers, invoices and emergency contacts. and only contact you to meet all your child's needs, for non-attendance, invoices and billing. We will not share or use your data for other purposes.
3. 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).

Data Protection Certificate.

This can be found on the notice board in the hallway of the Nursery. Little Firs Day Nursery is registered with the ICO and our Registration Number is Z1798690.

Date of Review	This Policy was adopted on	Signed on behalf of the Nursery	Date for review
July 2021.	16 th July 2021	<i>P.Goodrick Electronically signed due to covid restrictions.</i>	July 2022.