

Humpty Dumpty Pre-School

The Scout Hut

Eastfield Lane

Ringwood

Hampshire

BH24 1UR

Registered Charity Number: 1027798

Ofsted Number: 109840

Member of the Pre-School Learning Alliance



## **Confidentiality and Client Access to Records**

### **Policy statement**

*'Share with informed consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, there is good reason to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case.'*

*(Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers - HMG 2015)*

In our setting, staff and managers can be said to have a 'confidential relationship' with families. It is our 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. We aim to ensure that all parents and carers can share their information in the confidence that it will only be used to enhance the welfare of their children. There are record keeping systems in place that meet legal requirements; the means we use to store and share that information takes place within the framework of the Data Protection Act (1998) and the Human Rights Act (1998).

### **Confidentiality procedures**

- We always check whether parents regard the information they share with us to be confidential or not.
- Most things that happen between the family, the child and the setting are confidential to our setting. In exceptional circumstances information is shared, for example with other professionals or possibly social care or the police.
- Some parents may share information about themselves with other parents as well as staff; the setting cannot be held responsible if information is shared beyond those parents whom the person has 'confided' in.
- Information shared between parents in a discussion or training group is usually bound by a shared agreement that the information is confidential to the group and not discussed outside of it.
- We inform parents when we need to record confidential information beyond the general personal information we keep (see our Children's Records Policy) - for example with regard to any injuries, concerns or changes in relation to the child or the family, any discussions with parents on sensitive matters, any records we are obliged to keep regarding action taken in respect of child protection and any contact and correspondence with external agencies in relation to their child.
- We keep all records securely (see our Children's Records Policy).
- Most information is kept in a manual file. However, [our staff/I] may use a computer to type reports, or letters. Where this is the case, the typed document is deleted from the PC and only the hard copy kept. [We/I] do not keep electronic records on children, other than the register and financial data.
- Our staff discuss children's general progress and well being together in meetings, but more sensitive information is restricted to our manager and the child's key person, and is shared with other staff on a need to know basis.
- Our discussions with other professionals take place within a professional framework and not on an informal or ad-hoc basis.

### **Client access to records procedures**

Parents may request access to any confidential records held on their child and family following the procedure below:

- Any request to see the child's personal file by a parent or person with parental responsibility must be made in writing to the setting leader or manager.

- The setting leader informs the management team and sends a written acknowledgement.
- The setting commits to providing access within 14 days, although this may be extended.
- The setting's leader and chair, director or owner prepares the file for viewing.
- All third parties are written to, stating that a request for disclosure has been received and asking for their permission to disclose to the person requesting it. Copies of these letters are retained on file.
- 'Third parties' include all family members who may be referred to in the records.
- It also includes workers from any other agency, including children's social care, the health authority, etc. It is usual for agencies to refuse consent to disclose, preferring the individual to go directly to them.
- When all the consents/refusals to disclose have been received, these are attached to the copy of the request letter.
- A photocopy of the complete file is taken.
- The setting leader and chair, director or owner go through the file and remove any information which a third party has refused consent to disclose. A thick black marker is used, to score through every reference to the third party and information they have added to the file.
- What remains is the information recorded by the setting, detailing the work initiated and followed by them in relation to confidential matters. This is called the 'clean copy'.
- The 'clean copy' is photocopied for the parents, who are then invited in to discuss the contents. The file should never be given straight over, but should be gone through by the setting leader, so that it can be explained.
- Legal advice may be sought before sharing a file, especially where the parent has possible grounds for litigation against the setting or another (third party) agency.

All the undertakings above are subject to the paramount commitment of the setting, which is to the safety and well-being of the child. Please see also our policy on Safeguarding Children and Child Protection

#### **Legal framework**

- Data Protection Act (1998)
- Human Rights Act (1998)

#### **Further guidance**

- Information Sharing: Guidance for Practitioners and Managers (DCSF 2015)

This policy was adopted at a meeting of:	Humpty Dumpty Pre-School
Held on:	23/11/16
Date to be reviewed:	23/11/17
Signed on behalf of the provider:	
Name of signatory:	Richard Watson
Role of signatory:	Management Committee Chair