

Safeguarding and Welfare Requirement: Information and Records.

Confidential information and records about staff and children must be held securely and only accessible to those who have the right or professional need to see them.

HOOK VILLAGE NURSERY Confidentiality and Client Access to Records Policy 2025

Policy statement Definition: ‘Confidential information is information that is not normally in the public domain or readily available from another source, it should have a degree of sensitivity and value and be subject to a duty of confidence. A duty of confidence arises when one person provides information to another in circumstances where it is reasonable to expect that the information will be held in confidence.’ (Information Sharing: Guidance for Practitioners and Managers (DCSF 2008).)

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. Means of storing and sharing that information take place within the framework of the Data Protection Act (1998) and the Human Rights Act (1998).

EYFS Key Themes and Commitments

A Unique Child	Positive Relationships	Enabling Environments	Learning and Development
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Characteristics of Effective Learning

Playing and Exploring Engagement	Active Learning Motivation	Creating and Thinking Critically - Thinking
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Confidentiality procedures

- We always check whether parents regard the information they share with us to be confidential or not.
- Some parents sometimes 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. However, all staff must challenge damaging or misleading gossip or hearsay. By not contributing to damaging or misleading gossip or hearsay and by reporting these incidents to the Manager or Deputies this harmful practice can be challenged and managed.
- 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 Procedure) - 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 Record Procedure).
- Staff will not discuss individual children other than for the purposes of curriculum planning or group management with people other than parents/carers of the child.
- Information given by parents/carers to the pre-school leader or key worker will not be passed on to other adults/professionals without permission in accordance with our Safeguarding Children and Child Protection policy.
- Any anxieties/evidence relating to a child's personal safety will be kept in a confidential file with restricted access in accordance with our Safeguarding Children and Child Protection policy.
- Issues to do with the employment of staff, whether paid or unpaid will remain confidential to the people directly involved in making decisions in accordance with our Safeguarding Children and Child Protection policy.
- Students on Pre-school Learning Alliance or other recognised courses observing in the pre-school will be advised of our confidentiality policy and are required to respect and abide to it (See our Student placement policy). Students must check with the Manager or Deputy if unsure that information heard is confidential or not and must not partake in damaging or misleading gossip or hearsay. Instead they must be proactive to report to the Manager or Deputy any damaging or misleading gossip or hearsay, so this harmful practice can be challenged and managed.
- Likewise, staff, bank staff and committee members will be advised of our confidentiality policy and are required to respect and abide by it.
 - Staff and bank staff must check with the Manager or Deputy if unsure that information heard is confidential or not and must not partake in damaging or misleading gossip or hearsay. Instead, they must be proactive to report to the Manager or Deputy any damaging or misleading gossip or hearsay, so this harmful practice can be challenged and managed.
 - Committee members must check with the Chair of the committee or Manager if unsure that information heard is confidential or not and must not partake in damaging or misleading gossip or hearsay. Instead they must be proactive to report to the Chair or Manager any damaging or misleading gossip or hearsay, so this harmful practice can be challenged and managed.
- We keep all records securely.

All the undertakings above are subject to the paramount commitment of the Nursery to the safety and well-being of the child. (Please see our Safeguarding Children and Child Protection Policy).

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 Manager.
- The Manager will inform the Chairperson of the management committee who will send a written acknowledgement.

- The setting commits to providing access within 14 days, although this may be extended.
- The Manager and Chairperson of the management committee prepare 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 social services, 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 Manager and Chairperson of the management committee will go through the file and remove any information which a third party has refused consent to disclose. This is best done with a thick black marker, 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 Manager, 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 our policy on Safeguarding Children and Child Protection.

Legal framework

Data Protection Act (1998) replaced by The General Data Protection Regulation (GDPR) is an EU law that came into effect on 25 May 2018

Human Rights Act (1998)

Further guidance

Information Sharing: Guidance for Practitioners and Managers (DCSF 2008) [2] Information Commissioning Office

https://assets.publishing.service.gov.uk/media/67b6fd5032b2aab18314bc23/2025_02_19_-_Information_Sharing_UK_GDPR_V3_.pdf 2021 update d2023

Signed on behalf of Hook Village Nursery

Chairperson
Manager

October 2016 reviewed May 2025