

## The Strawberry Patch Nursery and Pre-School

### 8.1 Confidentiality and Client Access to Records Policy

#### **Policy Statement**

**“The Strawberry Patch is committed to safeguarding and promoting the welfare of children, young people and adults at all times and expects everybody working within this setting to share this commitment”**

**Definition:** Confidential information is information of some sensitivity which is not already lawfully in the public domain or readily available from another public source and which has been shared in a relationship where the person giving the information understood it would not be shared with others.

At The Strawberry Patch Nursery and Pre-School, staff and managers can be said to have a ‘confidential relationship’ with families. It is our intention to respect the privacy of children their parents and carers, while ensuring they access high quality early years provision and education at our setting. We aim to ensure that all parents and carers can share 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 and the Human Rights Act.

#### **Confidentiality Procedure**

- We will always check whether parents/carers regard the information they share with us to be regarded as confidential or not.
- Some parents/carers share information about themselves with other parents/carers as well as staff, the setting cannot be held responsible if information is shared beyond those parents/carers whom the person has ‘confided’ in.
- Information shared between parents/carers or training groups is usually bound by a shared agreement that the information is confidential to the group and not discussed outside of it.
- We inform parents/carers when we need to record confidential information beyond the general personal information we keep. For example with regard to any injuries, concerns or changes in relation to the child or the family, any discussions with parents/carers 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 the child.
- We keep all records securely.

#### **Client Access to Records Procedures.**

Parents/carers 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/carer or person with parental responsibility must be made in writing to the manager.

- We commit to providing access in 14 days; in some cases this may be extended.
- 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 straight to them.
- When all consent/refusals have been received these are attached to the copy of the request letter.
- A photocopy of the complete file is taken.
- The setting managers 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.
- The parents/carers 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 it can be explained.
- Legal advice may be sought before sharing a file, especially when the parents/carers have special 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 in line with the safety and well-being of the child.

**Signed:** *RBaillie*

**Date: September 2020**

**Review Date: September 2021**