

# InceyWinceys Day Nursery

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## **Data Protection, Confidentiality and Information Sharing**

### **Children's Records**

At Incey Winceys Day Nursery and Preschool there are record sharing systems in place that meet legal requirements and means of storing and sharing that information take place within the framework of the General Data Protection Regulations (GDPR).

We keep two kinds of records on children attending our nursery:

### **Developmental Records**

These include observations of children in the setting, photographs, video clips and samples of their work and summary developmental reports. These are usually kept on password protected iPads and can be accessed by staff or parents via personal log in pins and passwords.

### **Personal Records**

These include registration and admissions forms, signed consent forms, and correspondence concerning the child or family. They also include reports or minutes from meetings concerning the child or family from other agencies, an ongoing record of relevant contact with parents, and observations by staff on any confidential matter involving the child, such as developmental concerns or child protection matters.

These confidential records are stored in a lockable cabinet and are kept secure by the manager in the office or other suitably safe place, such as filed in the loft. Parents have access, in accordance with our client access to records procedure (cited later in this policy), to the files and records of their own children, but they do not have access to the records of information of any other child.

Staff must not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs. The staff recruitment and induction include an awareness of the importance of confidentiality in the role of the key person. We retain children's records for a reasonable amount of time, and records will be shared with another childcare provider only if it is deemed necessary on a need to know basis, such as when

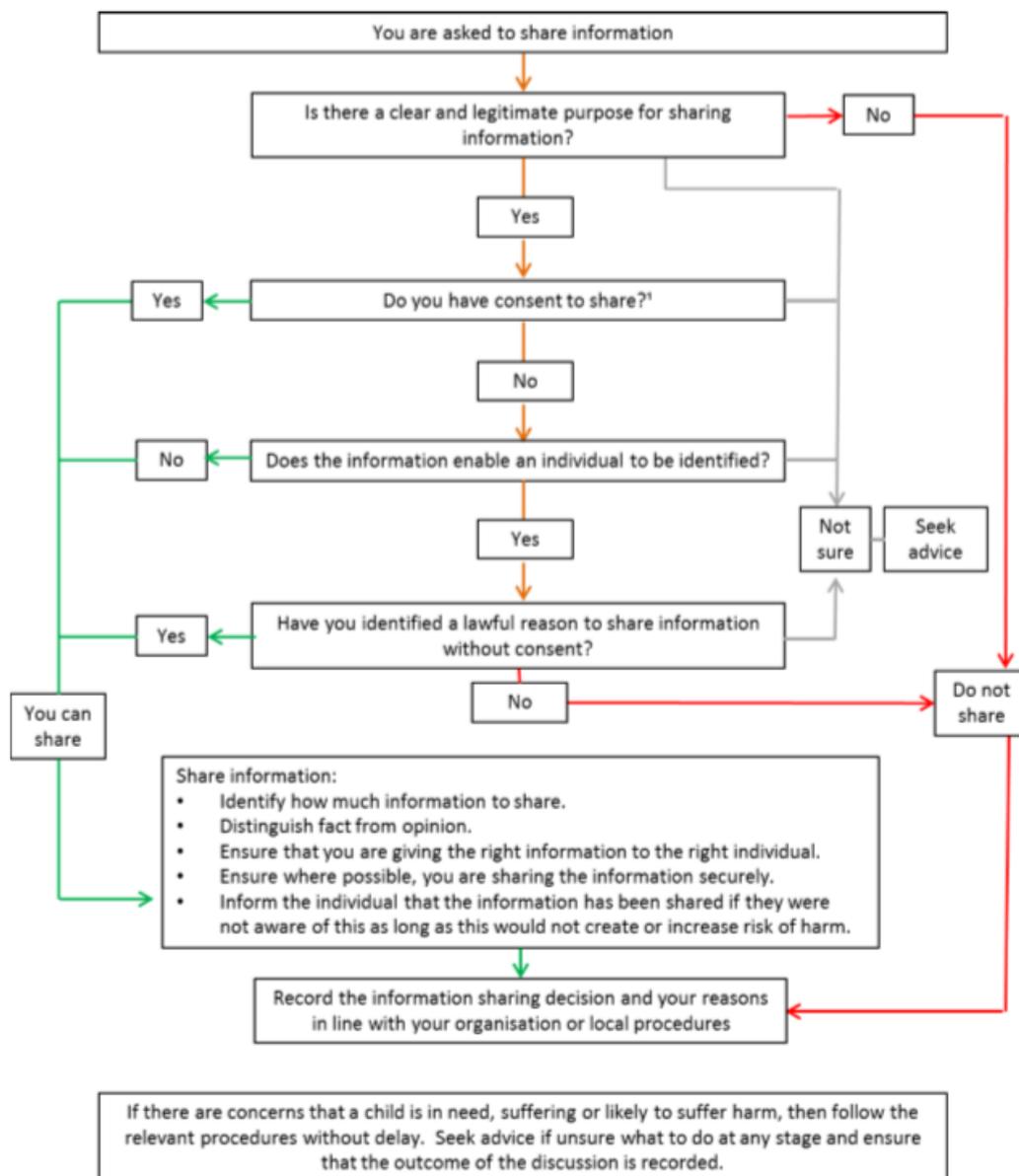
**Revised on 8<sup>th</sup> March 2021**

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a safeguarding issue has been highlighted. All records are kept in a secure place after a child has left.

The Nursery uses the chart below, taken from page 12 Government document “Information sharing Advice for practitioners providing safeguarding services to children, young people, parents and carers”. Staff understand that the need to report safeguarding concerns surpasses the GDPR regulations.

## Flowchart of when and how to share information



1. Consent must be unambiguous, freely given and may be withdrawn at any time

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Issues to do with employment of staff, whether paid or unpaid, remain confidential to the people directly involved with making the personnel decisions.

## **Provider Records**

We keep records for the purpose of maintaining the business. These include:

- Records pertaining to our registrations.
- Land registry, landlord and leasehold and other contractual documentation pertaining to amenities, services and goods.
- Financial records pertaining to income and expenditure.
- Risk assessments.
- Employment records of staff.

Our records are regarded as confidential on the basis of sensitivity of information, such as with regard to employment records and these are maintained with regard to the framework of the General Data Protection Regulations (GDPR).

We share information with the setting a child is moving on to, whether that's a school or another nursery on a need to know basis, in the child's best interest.

## **Procedures**

- All records are the responsibility of the management who ensure that they are kept securely.
- All records are kept in an orderly way in files, and filing is kept up to date.
- Financial records are kept up to date for auditing purposes.
- Health and Safety records are maintained, these include risk assessments, details of checks or inspections and guidance etc.
- Our OFSTED registration certificate is displayed.
- Our Public Liability Insurance Certificate is displayed.
- All our employment and staff records are kept securely and confidentially.

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## Confidentiality and Client Access to Records

At Incey Winceys Day Nursery and Preschool, 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.

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, and means of storing and sharing that information take place within the framework of the Data Protection Act 1998 and the Freedom of Information Act 2000.

## Confidentiality Procedures

- Consent is gained from the parents in the new parent contract form to share developmental records anonymously with the Local Authority for the purposes of monitoring the impact of our care on the child's development.
- All records are kept securely in a lockable cabinet.
- Some parents sometimes shares information about themselves with other parents as well as staff. The nursery cannot be held responsible if information is shared between parents in discussion.
- We inform parents that confidential information may be recorded beyond the general personal information we keep. This may relate to injuries, concerns or changes in relation to the child or family, and discussions with parents on sensitive matters or any records we are obliged to keep regarding action taken in respect of a safeguarding issue.  
***We also keep a record and share information with external agencies with regards to safeguarding.***

## **Information Sharing**

At Incey Winceys Day Nursery and Preschool we recognise that parents have a right to know that information they share will be regarded as confidential as well as be informed about the circumstances, and reasons, when we are obliged to share information.

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As part of working together we share children's developmental records with other providers and encourage them to do the same. This allows the care to be age and stage appropriate, consistent and allow a smooth transition.

We gain consent for anyone from outside agencies to come and observe the children whilst they are in our care. This consent includes sharing information and previous observations, concerns and developmental records.

The Early Years Childcare Improvement Team (EYCIT) is our Local Authority support team and regularly come in to assess the provision and aid us in providing the best care we can. They therefore have access to the children themselves, and to their developmental records to ensure the records are of a high standard and good quality. Similarly, OFSTED have access to the developmental scrapbooks and they may look through these, but this is to ensure the quality of the practitioners planning and paperwork.

We are obliged to share confidential information without authorisation from the person who provided it or to whom it relates if it is in the public interest. That is when:

- It is to prevent a crime from being committed or intervene where one may have been.
- To prevent harm to a child or adult.
- Not sharing the information could make the outcome worse than sharing it.

The decision of non-authorized information sharing should not be taken as an individual, but with the agreement of management.

## **The use of CCTV**

The nursery has four external cameras overlooking the entrances for the purposes of ensuring the property and premises are secure at all times. There are also 2 cameras overlooking the garden, to safeguard the perimeter against burglary or unlawful entry.

The childcare rooms are also now securely monitored with CCTV within the rooms. There are 4 cameras in the Ants room (ground floor) and 4 cameras in the baby room (first floor), one camera in each main room of play.

There are no cameras in areas of changing or toileting, for the privacy of the children, staff and visitors.

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There are 2 cameras on the second floor located in the staff room and office for purposes of safeguarding the computers and ensuring the paperwork is securely stored and monitored.

No cameras are hidden from view and signs are placed in prominent areas covered by the CCTV that are clearly visible and readable.

The most recent step of installing cameras within the childcare rooms is to:

- Monitor the interactions between staff and children
- Observe incidents such as biting and allow closer analysis of such events
- To safeguard the staff against allegations
- To deter those with criminal intent
- Protect against damage to the building or theft
- Reduce the threat of a child being abducted or having an intruder enter

The cameras record visual images only in real time, 24 hours a day and they do not record sound. The footage will not be shared with anyone, apart from in the event of a crime being committed in which case we may be obliged to share the footage with the Police. In the event of an incident occurring such as biting, Management may review the footage within the office and advise parents what has occurred, but no parents shall be able to view the footage as it contains other children and is confidential.

Out of nursery hours, the owner will have access to CCTV images via secure remote access to assist in maintaining the security of the premises.

This is not a “webcam” facility; parents will not have access to view recordings. The cameras are not used for covert monitoring.

The camera footage is saved by the system for 4-6 weeks onto a secure hard drive and then automatically overwritten.