



Confidentiality

EYFS 2017 Requirement

3.69: Records must be easily accessible and available (with prior agreement from Ofsted of the childminder agency with which they are registered, these may be kept securely off the premises). Confidential information and records about staff and children must be held securely and only accessible and available to those who have a right or professional need to see them. Providers must be aware of their responsibilities under the Data Protection Act (DPA) 1998 and where relevant the Freedom of Information Act 2000.

Related Policies:

Data Protection / Information and Records / e safety

Legislation:

EYFS 2017

Childcare Act 2006 / 2016

Data Protection Act 1998

Data Protection Bill 2017 / General Data Protection Regulation (GDPR) 2018

Freedom of Information Act 2000

All information regarding children, families and anyone working with you (if applicable) must be kept securely and treated in confidence. You must be aware of whom you discuss or share information with; you will need to consider, caring for relatives or friends children and also social networking. Information should only be shared if parents/carers/childminder assistant/ co childminder give their permission **or there appears to be a child protection issue, child protection will always overrule the confidentiality policy.** All details should be kept confidentially and records kept securely.

Do you share information with parents and children? Do you make sure that parents/carers can share information with you and can be confident that information shared will only be used for the benefit of their child? Do you make sure that any information you share is done so whilst respecting the privacy of children and their parents? You will need to consider what type of records you need to keep and where you store these records. Think about Learning Journeys, personal records for children and their families including names, addresses, contact telephone numbers, places of work, medical information, chronologies of significant events, accident/injury/incident records, childminder assistants/students records etc.

When writing your confidentiality policy you should consider:

- How and where confidential information about children and families will be stored and who will have access to personal records;
- How long information should be retained for;
- Where you will store the children's learning journeys and development records and who will have access to them;
- Making any childminding assistants/co-childminders aware that children/families should not be discussed outside the setting unless there is a professional need to do so and with parental permission (if there is a child protection concern about a child this may override the need for parental permission/confidentiality if failing to share information would put the child at risk of harm)
- Having a designated space available in your setting where you can speak to parents and families privately;
- Arranging mutually convenient times to discuss sensitive issues with parent/carers or childminder assistants to ensure confidentiality;
- Where you will store staff personal details and employment paperwork such as contracts, supervision notes or personal/sensitive information;
- Ensuring that all laptops or mobile phones that are used for business purposes are password protected, and that you are the only person who has password details;
- How you will ensure the confidentiality of children you care for if you use social media. Consider what information/photographs you post on social media and whether children are identifiable;

- How you ensure you meet data protection act 1998 and where relevant freedom of information Act 2000;
- How you ensure that you are meeting the requirements the General Data Protection Regulation (GDPR) 2018? Do you have a privacy notice and retention schedule in place?
- Are you registered with the ICO? For further information go to http://www.ico.gov.uk/for_organisations/data_protection/notification.aspx