



Confidentiality Policy and Procedure

Statement

The Beaver Community Trust Ltd Confidentiality policy has been developed in accordance with the principles of the Human Rights Act 1998, The Data Protection Act 1998, the Freedom of Information Act 2000, Crime and Disorder Act 1998 S17, Children Act 1989 S17 and 47, Children Act 2004 S10, 11 and 12 and the welfare regulations required by Section 40 of the Child Care Act 2006. This policy needs to be read in conjunction with our settings Child Protection and Allegation policy.

As part of the ethos of our setting we take seriously our responsibility to ensure the protection, health, safety and well-being of the children entrusted to our care. We expect our staff to comply with this confidentiality policy and will treat breaches of confidentiality as a serious matter.

The member of staff who is responsible for implementation, monitoring and review of the confidentiality policy in the setting is Tracy Wratten.

Rationale and statement on the importance of confidentiality

At Kiddie Kapers and Little Rays Nurseries we believe that:

- The safety, wellbeing and protection of the children in our setting are of paramount consideration in all decisions staff at this setting make about confidentiality. The appropriate sharing of information between setting staff is an essential element of ensuring the wellbeing of children in our care.
- It is an essential part of the ethos of our setting that there is a clear and explicit policy on confidentiality so that children, parents/guardians and staff are able to seek help both within and outside the setting and the number of situations are minimised when personal information is shared to ensure children and staff are supported and safe.
- Parents/guardians, children and staff need to know the boundaries of confidentiality in order to feel safe and comfortable in discussing personal issues.
- The settings attitude to confidentiality is open and easily understood and everyone should be able to trust the boundaries of confidentiality operating within the setting.
- Everyone in the setting needs to know that no one can offer absolute confidentiality.
- The setting at all times puts the safety and welfare of the child first and any issue will be referred to the setting's Designated Safeguarding Person (DSP) if necessary.
- This policy should be read in conjunction with our Information Sharing Policy.

Definition of Confidentiality:

For the purpose of this policy the following definition of confidentiality will apply:

“Discretion in keeping private information”

We aim to ensure in this setting that all parents and guardians can share their information in the confidence that it will only be used to enhance the welfare of their children. The general rule in this setting is that staff should make clear that there are limits to confidentiality at the beginning of the conversation. These limits relate to ensuring children’s safety and wellbeing.

Staff, visitors and volunteers responsibilities:

All people working with children or young people in our setting will:

- Ensure that the interest of the child is paramount.
- At the outset inform child/parents/guardians that they cannot offer complete confidentiality in circumstances when they are concerned for the child or other children or parents or a staff member.
- Will explain to the child/parent/guardian as appropriate at the outset openly and honestly what and how information will or could be shared and why and seek their agreement the **exception** being when to do so would place the child or others at increased risk of significant harm or an adult at risk of serious harm or if it would undermine the prevention detection or prosecution of a serious crime including where seeking consent might lead to interference with a potential investigation.
- Will ensure that the information they share is accurate and up to date and necessary for the purpose for which they are sharing it, shared only with those people who need to see it and shared securely.
- Unless s/he is already known a phone call received from professional seeking information must be verified before information is divulged by calling them back on an organisation telephone number and not a mobile phone.
- Inform any child/parent/guardian/staff member when they have inadvertently made a disclosure that they may need to share the information with the designated safeguarding person.
- At all times abide by the setting’s safeguarding and child protection policy.
- Be duty bound to act appropriately upon information not directly given to them and consult with the designated child protection person in the setting.
- Where there are areas of doubt about the sharing of information seek a consultation in line with our Local Children’s Safeguarding Board (LCSB) procedures.

Ground rules in our setting for parents/guardians, staff and children

In order to create the right sort of learning environment and to help safeguard people’s rights to confidentiality the setting believes it is best to establish a clear set of ground rules to work within whilst at the setting. Ground rules will enable sensitive or controversial issues to be explored in a way that can minimise the risks of inappropriate disclosures being made.

Example of our ground rules may include:

- We will respect each other and not laugh, tease or hurt others.
- Listen to views and opinion.

- If we find our things about other children/staff/parents which are personal and private we won't talk about it unless a child or adult is at risk of significant harm.
- If we are worried about someone else's safety we will then talk to the setting's designated person.

Record Keeping

Children's records:

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

1. Developmental records

These include observations of children in the setting, samples of their work, summary developmental reports and records of their achievements. They can be accessed and contributed to by staff, the child and the child's parents/guardians.

2. Personal records

These include registration and admission forms, signed consents and correspondence concerning the child or family, reports or minutes concerning the child 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/welfare matters.

These confidential records are stored and kept secure by the person in charge.

Parents have access in accordance with the access to records procedure to the files and records of their own children but do not have access to information about any other child. Parents do not, however, have an automatic right of access to child protection records.

Staff will not discuss personal information given by parents with other members of staff except where it affects planning for the child's needs. Staff induction includes an awareness of the importance of confidentiality in the role of the key person.

Other records:

Students, volunteers and visitors who are working or observing in the setting are advised of our confidentiality policy and required to respect it.

Monitoring and Review:

All setting personnel and visiting staff will have access to a copy of this policy and will have the opportunity to consider and discuss the contents. This policy forms part of our wider setting policies and procedures and will be reviewed annually.