

# 1. Safeguarding Children

## 1.3 Data Protection, Confidentiality and client access to records

At St Michael's Community Nursery, 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. St. Michael's Community Nursery is registered with the Information Commissioner's Office (ICO).

### **General Data Protection Regulation**

Personal data and privacy preferences enable the nursery processes to run smoothly. Data is stored in a locked office (application form - paper copy) and on a password protected computer (email ids), which can only be accessed by authorised personnel. Personal information will not be shared without permission with any third parties (other than as required by statutory obligation).

### **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, as indicated on a child's admissions form, must be made in writing to the setting leader or manager.
- The setting leader informs the chairperson of the management committee and sends a written acknowledgement.
- The setting commits to providing access within 14 days, although this may be extended.

- The setting's leader or 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 setting leader and chairperson of the management committee go through the file and remove any information which a third party has refused consent to disclose.
- 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 setting leader, 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 also our policy on child protection.

***Policy updated 26/01/2023***