**Confidentiality Policy**

We understand that at times the work of the club with children and families will sometimes bring our staff into contact with confidential information. All of our staff and children information is stored online, KidsClub and BreatheHR.

**Aims**

* The setting will ensure that all information is stored and shared according to the regulations and guidance of the General Data Protection Regulation 2018.
* The setting will ensure that the staff team are aware of the implications of the GDPR 2018 in so far as it affects their roles and responsibilities within the setting.
* The setting will ensure there is a Privacy Notice for parents, staff, and an Information Audit/Record of processing activity alongside this Confidentiality and Data Protection policy
* The setting will ensure it facilitates an open approach with the parents/carers about its policies and procedures and the information that the setting holds on their child.

**Compliance with the GDPR**

* The setting will comply with the six principles of the GDPR which say that the data processing must be lawful and transparent; only used for the purpose for which it was originally requested (unless with further consent); limited to what is necessary, accurate and kept up to date; retained or deleted appropriately; and processed with integrity and responsibly to avoid loss or damage.
* The setting will appoint a ‘data controller’ and if required register with the Information Commissioner’s Office (ICO)
* In line with the EYFS, we will liaise with parents/carers to keep them updated about their child/ren’s well-being and progress. Parents / carers have rights to their own information as well as that of their children. The Parents’ Privacy notice will detail this and the ‘lawful basis’ for holding this data.
* In line with the EYFS and Employment law we will keep records on staff and volunteers to ensure suitability, good practice, and well-being. Staff and volunteers have a right to their own information.

**To ensure that all who use and work in the club can do so with confidence, confidentiality will be respected in the following way:**

1. Parents/carers will have ready access to any files or records of their own children but will not have access to any information about other children.
2. Prior, written permission and consent will be obtained to hold personal details on children, parents and employees and management.
3. All personal records will be stored in a secure location. For paper records this means, within lockable storage. For computer or digital records this means that files will be pin/password protected. Security measures will be implemented for all portable media equipment.
4. Records and information will be made available to parents/carers/staff and volunteers upon request (‘Subject access request’), within a month, unless subject to an exemption. If for any reason a request is going to be refused, then this decision, and an explanation, will be communicated in writing within a month.
5. Parent/carer information may be shared with the HMRC and other providers of funded places.
6. The management, staff, volunteers, and any other individual associated with the running or management of the setting will respect confidentiality by:

-Not discussing confidential matters about children with other parents/carers.

-Not discussing confidential matters about parents/carers with children or other parents/carers.

-Not discussing individual children outside of the provision.

-Not discussing confidential information about staff members.

1. Staff will not discuss individual children, other than for purposes of curriculum planning/group management, with anyone other than the parents/carers of that child without their permission.
2. Information given by parents/carers to the play staff will not be passed on to any other adults without permission.
3. Issues to do with the employment of staff, whether paid or unpaid, will remain confidential to those directly involved with making personnel decisions.
4. Issues to do with the employment of staff, whether paid or unpaid, will remain confidential to the people directly involved with making personnel decisions.
5. Students and volunteers will be advised of our confidentiality policy and will have to sign to say they accept.
6. The safety and welfare of the children will be paramount, any disclosures relating to issues of child protection will be discussed with the relevant agencies and our child protection policy will be implemented.
7. Any anxieties/evidence relating to a child’s personal safety will be kept in a confidential file and will only be disclosed to the staff and chair of the management committee.7

**Data breach**

* We must report any data breach to the ICO if, for example, personal data was lost, destroyed, shared inappropriately, or if someone accessed information without permission. Parents have a right to complain to the ICO.
* If a data breach occurred, the individuals involved would be informed and it would be addressed promptly. We would take steps to establish the severity and tell the ICO, if required. If it were decided not to report the breach this decision would need to be justified and recorded as an incident in the Log of Data Breaches and consider how we might ensure that the data breach could not occur again.
* We must investigate a data breach within 72 hours and failure to notify a breach may result in a fine.
* Advice is available from the ICO Helpline 0303 123 1113

**Retention of records**

* Records will be retained for a varying length of time depending on the reason for retaining those records. We have detailed the retention periods in the Privacy Notice to parents/carers and retention of records document for staff.
* If we resign the childcare registration, we will keep records securely for as long as we are legally required, depending on the reason for retention.
* Paper documents will be shredded. Information on digital storage devices will be deleted when it is no longer required
* Staff records will be retained throughout employment and when an individual leaves some records will be handled in line with the retention of record document.

Reviewed: September 2024