

**Confidentiality and Client access to records**

# Policy statement

Confidential information is information that is not normally in the public domain or readily available from another source, it should have a degree of sensitivity and value and be subject to a duty of confidence. A duty of confidence arises when one person provides information to another in circumstances where it is reasonable to expect that the information will be held in confidence’ (Information Sharing: Practitioners’ Guide)

At Jack & Jill Pre-school, staff and volunteers 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 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. There are record keeping systems in place that meet legal requirements; means of storing and sharing that information take place within the framework of the Data Protection Act (1998), the Human Rights Act (1998), and the Freedom of Information Act ( 2000)

**Confidentiality procedures**

* Where it is obvious that information shared by parents/carers is of a sensitive nature, we treat such information as confidential. Where there is any doubt, the member of staff concerned should check with the parent/carer as to whether they regard such information as confidential or not
* Some parents sometimes share information about themselves with other parents as well as staff; the setting cannot be held responsible if information is shared beyond those parents whom the person has ‘confided’ in
* Information shared between parents in a discussion or training group is usually bound by a shared agreement that the information is confidential to the group and not discussed outside of it
* We inform parents when we need to record confidential information beyond the general personal information we keep unless it puts the child at risk in any way (see our ‘Information Sharing’ policy), for example with regard to any injuries, concerns or changes in relation to the child or the family, any discussions with parents on sensitive matters, any records we are obliged to keep regarding action taken in respect of child protection and any contact and correspondence with external agencies in relation to their child
* We keep all records securely

**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 must be made in writing to the setting leader. (If parents are asking to see their child’s ‘Record of Achievement’ they would only need to ask verbally)
* The setting commits to providing access within 14 days, although this may be extended
* The setting’s leader 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 will go through the file and remove any information which a third party has refused consent to disclose. This is best done with a thick black marker, to score through every reference to the third party and information they have added to the file
* 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 Safeguarding Children.

**Code of Conduct**

The reputation and representation of Jack & Jill Pre-school is paramount and therefore, as employees, staff represent the Pre-school and must act accordingly.

We expect all our staff to provide high levels of care and if necessary, advice to parents and other members of staff. All staff are role models for children, and we expect all staff to lead by example.

**Procedures**

**Communication**

We do not shout or raise our voices unless we believe the safety of the child is compromised. No inappropriate language or phrases will be used. We will endeavour to use a reassuring non-threatening tone and positive body language at all times. We are aware that aggressive body language or shouting presents a negative example of how we should behave as adults.

**Confidentiality**

We expect all staff to respect any confidential or sensitive information that they may have access to as a result of working in the Pre-school environment.

Staff are reminded not to discuss individual children, other than within the staff team for the purposes of curriculum planning/group management, with people other than the parents/guardians of that child. If a member of staff is in any doubt about the confidentiality of an issue, they should discuss their concerns with the Pre-School Leader.

Issues relating to the employment and payment of any member of staff, will remain confidential to the individual concerned and to those involved in the decision making- or the administering- of the process. Staff are also reminded of their obligations to respect confidentiality as detailed throughout all the sections of our Safeguarding Children Policy.

**Appearance**

The appearance which we present to each other, parents, carers and visitors is important. Our expectation of all Pre-School staff is that they conform to standards of dress as befits a profession. Although many styles of dress are acceptable, staff should dress appropriately for their job and give a positive image. All members of staff will be given a uniform with a logo to wear whilst they are working.

**Alcohol, Drugs and Smoking**

Except for medical reasons, employees must not take any substances that might affect their work. No staff should consume or be under the influence of drink/drugs during their hours of work. No smoking is permitted anywhere on the premises or in the Pre-school grounds.

**Mobile Phones and Social Networking Sites**

Please see separate policies.

**Socialisation**

If staff and parents socialise together the Pre-school, or any issues surrounding it, must not be discussed.

Staff are allowed to socialise together outside work as long as they maintain confidentiality and do not discuss the nursery or any matters relating to the nursery. This includes social media, such as Facebook.

If staff are socialising outside work and see any parents they need to ensure they act appropriately and in a professional manner and must not discuss the Pre-school or any matters relating to the Pre-school.

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| This Policy was adopted on (date) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Signed By\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Date to be reviewed\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |