



Data Protection and Confidentiality Policy

EYFS: 3.69-3.72, 3.80

Refer to- Child Protection Policy and GDPR Privacy Notice

At All My Friends Childcare settings we recognise that we hold sensitive/confidential information about children and their families and the staff we employ. This information is used to meet children's needs, for registers, invoices and emergency contacts. We store all records in locked cabinets or on the Company server with files that are password protected in line with data protection principles. Any information shared with the staff team is done on a 'need to know' basis and treated in confidence. This policy works alongside the **All My Friends GDPR Privacy Notice** to ensure compliance under UK General Data Protection Regulation (UK GDPR) 2018 and Data Protection Act 2018.

Legal requirements

- We follow the legal requirements set out in the Statutory Framework for the Early Years Foundation Stage (EYFS) 2021 and accompanying regulations about the information we must hold about registered children and their families and the staff working at the nursery
- Ofsted guidance for OOSC's
- We follow the requirements of the UK General Data Protection Regulation (UK GDPR) 2018, Data Protection Act 2018 and the Freedom of Information Act 2000 with regard to the storage of data and access to it.

Procedures

It is our intention to respect the privacy of children and their families and we do so by:

- Storing confidential records in in locked cabinets or on the Company server with files that are password protected.
- Ensuring staff and student inductions include an awareness of the importance of the need to protect the privacy of the children in their care as well as the legal requirements that exist to ensure that information relating to the child is handled in a way that ensures confidentiality. This includes ensuring that information about the child and family is not shared outside of the setting other than with relevant professionals who need to know that information. It is not shared with friends and family, nor discussed between colleagues in any external social setting. If staff breach any confidentiality provisions, this may result in disciplinary action and, in serious cases, dismissal. Students on placement in any of our settings are advised of our confidentiality policy and required to respect it. They may not look at children's personal information without specific written consent from the child's parent.
- Ensuring observations used for qualifications and training do not use children's full names and that parental permission is obtained before the observations are commenced.
- Ensuring that all staff and students are aware that information about children and families is confidential and only for use within the setting and to support the child's best interests with parental permission



- Ensuring that parents have access to files and records of their own children but not to those of any other child, other than where relevant professionals such as the police or local authority children's social care team decide this is not in the child's best interest
- Ensuring all staff are aware that this information is confidential and only for use within the individual settings. If any of this information is requested for whatever reason, the parent's permission will always be sought other than in the safeguarding circumstances above
- Ensuring staff take care when speaking on the phone not to divulge any personal information relating to a child until they have verified that the recipient is authorised to receive it (i.e. a parent, emergency contact, professional working with the child etc.). If in doubt staff must seek advice and call back.
- Ensuring staff do not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs
- Ensuring staff and students are aware of and follow our social networking policy in relation to confidentiality
- Ensuring issues concerning the employment of staff remain confidential to the people directly involved with making personnel decisions
- Ensuring any concerns/evidence relating to a child's personal safety are kept in a secure, confidential file and are shared with as few people as possible on a 'need-to-know' basis. If, however, a child is considered at risk, our **Child Protection Policy** will override confidentiality.

All the undertakings above are subject to the paramount commitment of our settings, which is to the safety and well-being of the child.

UK General Data Protection Regulation 2018 (UK GDPR) compliance

In order to meet our requirements under UK GDPR we will also undertake the following:

1. We will ensure our terms & conditions, privacy and consent notices are easily accessed/made available in accurate and easy to understand language
2. We will use your data to ensure the safe, operational and regulatory requirements of running our settings. We will not share or use your data for other purposes. Further detail can be found in our GDPR policy.
3. Everyone in our settings understands that people have the right to access their records or have their records amended or deleted (subject to other laws and regulations).
4. We will ensure staff have due regard to the relevant data protection principles, which allow them to share (and withhold) personal information, as provided for in the Data Protection Act 2018 and the UK GDPR. This includes:
 - Being confident of the processing conditions which allow them to store and share information for safeguarding purposes, including information, which is sensitive and personal, and should be treated as 'special category personal data.'
 - Understanding that 'safeguarding of children and individuals at risk' is a processing condition that allows practitioners to share special category personal data. This includes allowing practitioners to share information without consent where there is good reason to do so, and that the sharing of information will enhance the safeguarding of a child in a timely manner, but it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk.

Staff and student information



- All information and records relating to staff and students will be kept confidentially on the Company's server or in a locked cabinet
- Individual staff may request to see their own personal file at any time.

Corporate Confidentiality

Staff are prohibited from discussing or divulging any information about All My Friends Childcare Ltd business activities to third parties, including competitors and employees of competitors.

All My Friends Childcare's current data protection certificate is displayed and available for inspection in each of our settings.

Internal use only

This policy was adopted on	29/09/2022
Signed on behalf of the setting	
Policy last updated on	
Updated by:	
Date disseminated to staff	29/09/2022
Date for next review	29/09/2023