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| Pavilion Pirates Preschool  Baden-Powell Lodge,  Pavilion Road,  Off Woodhouse Lane,  Botley,  SO30 2EZ  Contact During Session:  07769177701 | ***Registered Charity:1185950***  **2001-2021**  **20 Years**  ***Registered with Ofsted***  ***Supported By***  ***small for partnership publications*** |

**10.9 Confidentiality and Client Access to Records**

**Policy Statement**

*‘Share with informed consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, there is good reason to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case.’*

*Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers* (HMG 2018)

In our setting, Staff and Trustees 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. We have record keeping systems in place that meet legal requirements; the means that we use to store and share that information takes place within the framework of the General Data Protection Regulations (2018) and the Human Rights Act (1998).

**Confidentiality procedures**

* Most things that happen between the family, the child and the setting are confidential to our setting. In exceptional circumstances information is shared, for example with other professionals or possibly social care or the police, and the settings will give information to the children’s Social Workers who undertake S17 or S47 investigations. Normally parents should give informed consent before information is shared, but in some instances, such as if this may place a child at risk, or a serious offence has been committed, parental consent should not be sought before information is shared. Local Safeguarding Partners (LSP) procedures should be followed when making referrals, and advice sought if there is a lack of clarity about whether or not parental consent is needed before making a referral due to safeguarding concerns.
* We always check whether parents regard the information they share with us to be confidential or not.
* Some parents may share information about themselves with other parents as well as with our staff; we cannot be held responsible if information is shared by 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 are not responsible should that confidentiality be breached by participants.
* We inform parents when we need to record confidential information beyond the general personal information we keep (see our Children's Records Policy and Privacy Notice) - 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 (see our Children's Records Policy and Privacy Notice).
* Most information is kept in a manual file, or electronically. Our staff may use a computer to type reports, or letters.
* Our staff discuss children’s general progress and well-being together in meetings, but more sensitive information is restricted to our Lead and Deputy Lead Practitioner and the child’s key person and is shared with other staff on a need-to-know basis.
* We do not discuss children with staff who are not involved in the child’s care, nor with other parents or anyone else outside of the setting.
* Our discussions with other professionals take place within a professional framework and not on an informal or ad-hoc basis.
* Where third parties share information about an individual us; our practitioners and managers check if it is confidential, both in terms of the party sharing the information and of the person whom the information concerns.

**Client access to records procedures**

Parents may request access to any confidential records we hold on their child and family following the procedure below:

* The parent is the ‘subject’ of the file in the case where a child is too young to give ‘informed consent’ and has a right to see information that our setting has compiled on them.

**Legal framework**

* General Data Protection Regulations (GDPR) (2018)
* Human Rights Act (1998)

**Further guidance**

* Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (HM Government 2015)

**10.9 Confidentiality and Client Access to Records**

**This policy was adopted by Pavilion Pirates Preschool CIO**

**On 21.07.2021**

**Date reviewed Every two years or as required**

**Signed on behalf of the provider**

**Name and Role of Signatory Linda Noble (Trustee/NI)**

**Signed on behalf of the provider**

**Name and Role of Signatory Helen Travers (Trustee)**

**REVIEW DATE 21.07.2027**