



10. Confidentiality / Data Protection Policy

Our designated member(s) of staff responsible for this area:

Manager / Deputy

This policy was adopted on

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10.1 Introduction

Confidentiality means that details about others should only be disclosed on a need to know basis. Any details of a personal nature will only be disclosed with the consent of the person involved wherever possible. The preschool recognises that the handling of identifiable information is necessary to the effective functioning of the setting. This information can be written, verbal and computerised. Information is held about individuals using and providing services. This policy helps ensure that the preschool provides a safe environment where individuals are treated with respect.

The aims for the policy are to comply with legislation such as the Data Protection Act 1998 and the associated Codes of Practice;

- ensures that information given in trust to the preschool is treated with respect.
- ensures that information is protected through clarity about how it is to be stored and shared.
- ensures that the boundaries of confidentiality are clear, and understood by all
- to provide practical guidelines;
- to protect people who use the preschool services.

This policy covers confidential information relating to those who use the services of the preschool. It is based on the principle that all such information should be treated as confidential. Information of this nature should only be shared when there is a clear, legitimate reason for doing so and with the permissions of the parties involved. Although personal/sensitive information is protected by the preschool there are exceptional circumstances when confidential information would have to be disclosed;

where this is necessary to protect a vulnerable child or person from harm

or to comply with the law.

Wherever possible and appropriate the person will be informed that this action has been taken.

10.2 Legal context

- The Human Rights Act 1998 guarantees respect for a person's private and family life, home and correspondence.
- The Data Protection Act 1998 (DPA) concerns personal information, which includes facts and opinions about an individual which might identify them. The DPA ensures that information held about any person cannot be used for purposes other than those for which it was originally supplied, without the person's consent. Exceptions

to these Acts are allowed where this is necessary to protect a vulnerable person from harm.

- Some restricted and specific areas of legislation over-ride the Human Rights Act and the Data Protection Act, for example in suspected terrorist activity or over specific safeguarding concerns.

10.3 E-Safety

The setting has a named E-Safety Co-ordinator who is responsible for developing and maintaining an e-safe culture within the preschool, including how the setting uses technology to support children's learning and how information is stored and disposed of.

10.4 Storage and Disposal of Information

It is the responsibility of the the preschool to ensure that personal/sensitive information about service users (individual children, groups and organisations) is treated as confidential and stored in a secure place such as a locked filing cabinet. Such information will be stored only if it is current and necessary to undertake tasks relating to the setting.

The time limit for storage of general non-active information will be 2 years, where this is a legal requirement to do so. Information where there is no such legal requirement will be stored for an appropriate period of time, which may, on occasion, be specified. There may be instances in which information of a personal nature is held longer than 5 years at the preschool 's discretion.

The preschool will shred confidential papers when finished with and delete them from computer files.

10.5 Access to Information

The preschool operates an Open Access Policy in relation to files and computer records, whereby parents/carers have access to information held about them with a notice period of 10 working days.

Information regarding service users is confidential but it can often be of benefit to share information with others e.g. other agencies and school, to support an individual most effectively. Information will only be shared with the consent of the child's parents/carers.