



Confidentiality and Information Sharing: A Policy for Staff and Service Users

The nature of our services will bring us into contact with confidential information. This confidential information will only be used to enhance the welfare of our staff and service users.

Our users have a right to know and be informed about the circumstances, and reasons, when we are obliged to share information and we will be open and honest and explain to families how, when and why the information will be shared about them and with whom.

It is a legal requirement to hold information. 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 GDPR and the Human Rights Act. Please refer to the Data Protection and Security Policy 2017-18 when reviewing this Policy.

It is our intention to respect the privacy of service users and staff and we do this by following the procedure below:

- Confidential records are stored in a locked filing cabinet
- Written permission is obtained to hold personal details
- Parents are informed when we need to record confidential information beyond the general personal information we keep i.e. injuries, concerns, safeguarding, contact with external agencies
- Written consent is sought from parents before information is shared with external agencies unless a child is considered at risk (for example when our safeguarding children policy will be followed)
- Parents have access to files and records of their own children but not to those of any other child
- All staff are aware that personal information given by parents is confidential and only for use within the Foundation
- If parents share information about themselves with other parents as well as staff we cannot be held responsible if information is shared by those parents whom the person has 'confided' in
- Staff and volunteer inductions include an awareness of the importance of confidentiality
- Decisions about staff employment remain confidential to those directly involved in the process
- If staff breach this policy this may result in disciplinary action including dismissal.

Records

Records are kept for the purpose of maintaining our business. These include health and safety records, development plans, financial records, contractual documentation, and employment records of staff, students and volunteers.

Personal records -These include registration and consent forms; an on-going record of relevant contact with parents ; correspondence concerning the child or family from other agencies; observations by staff on any confidential matter such as developmental concerns or safeguarding matters. These are stored in a lockable cabinet and are kept secure in the office. Parents have access to the files and records of their own children (please see below) but do not have access to information about any other child.

Access to records

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

- Request to see the child's personal file by a parent must be made to the Data Control Manager, who will send written confirmation. We commit to provide access within 14 days, although this may be extended.

Written request to see all or part of the personal data held by the Data Controller in connection with the data subject can be made. Data subjects have the right to know if the data controller holds personal data about them; a description of that data; the purpose for which the data is processed; the sources of that data; to whom the data may be disclosed; and a copy of all the personal data that is held about them.

Under certain circumstances, the data subject can also exercise rights in connection with the rectification; blocking; erasure and destruction of data.

CTCF will keep information on the data subject for a maximum period of 10 years. The length of time was determined by the fact that there are medical records and safeguarding information and data that may be required and requested from suitable third parties over the length of time. These include the emergency and other professional services.

Information sharing procedures

We provide a framework to ensure that personal information about living persons is shared appropriately. The circumstances in which information can be shared are explained to at registration and they sign a form to say that they understand the circumstances when information may be shared without their consent. We are obliged to share confidential information without authorisation from the person who provided it or to whom it relates if it is in the public interest. This is when it is to prevent a crime from being committed or intervene where one may have happened or to prevent harm to a child or adult; or not sharing it could be worse than the outcome of having shared it.

The decision should never be made as an individual, but with the support of relevant agencies. The three critical criteria are:

- Where there is evidence that the child / vulnerable adult is suffering, or is at risk of suffering, significant harm.
- Where there is reasonable cause to believe that a child / vulnerable adult may be suffering, or at risk of suffering, significant harm.
- To prevent significant harm arising to children and young people or serious harm to adults, including the prevention, detection and prosecution of serious crime.

Refer to our Safeguarding policies for Children and Young People, and Adults at Risk. Reference should also be made to our Data Protection and Security Policy.

Information shared must be accurate and up-to-date, necessary for the purpose it is being shared for, shared only with those who need to know and shared securely. We will record decisions made and the reasons why information will be shared and to whom.

Working in partnership with other agencies

We work in partnership with local and national agencies to promote the well-being of all children and young people.

- When working in partnership with staff from other agencies, we make those individuals welcome in the setting and their professional roles are respected.
- We follow the protocols for working with agencies, for example on child protection.

- Information shared by other agencies with us is regarded as third party information. This is also kept in confidence and not shared without consent from that agency.
- Staff from other agencies do not have unsupervised access to the child they are visiting in the nursery and do not have access to any other children during their visit.
- We may consult with local and national agencies for advice and information to help us develop understanding of issues facing us and who can provide support and information for parents.