

## **Confidentiality Policy**

It is a legal requirement for the nursery to hold information regarding the children and our team using the setting. All information regarding our team, parents/carers and children is stored in locked filing cabinets in either the main reception office or the Manager's office. These are locked at all times and only certain personnel have access to the codes to the doors.

Throughout any proceedings Sweet Peas Nursery will seek to ensure that confidentiality is maintained. However, we may disclose information where necessary for the discharge of duties/as required by law.

### **Disclosure of information relating to a member of our team**

In all but defined cases (e.g. disciplinary procedures), the ultimate reference point for deciding who should be informed of a piece of confidential information is the individual to whom it applies.

It is important, however, that where consent is given, it is informed consent. For this to be the case it is necessary to tell the person concerned why there is a need to disclose information and to whom. The person should also be told of the likely consequences of their agreeing or not agreeing to this.

Disclosure of confidential information may require written authorisation by the individual concerned. This should be dated and specify to whom disclosure is authorised; for example if you are requesting information from one person's GP. Once consent has been obtained it is the responsibility of the person passing on any information to ensure that this is only done on the terms agreed.

### **Information about our team**

A request for an employee's home address and/or telephone number will always be referred to the individual concerned before any information is disclosed. This is done via the Manager.

There are some agencies who may have an automatic right of access to certain parts of personnel information e.g. Inland Revenue or tax queries. The Manager will notify any team member of any legal requirements whereby Sweet Peas Nursery is obliged to provide such information.

Our team should never divulge a colleague's personal circumstances, including their address, future work place etc to anyone without permission of the worker.

### **Safeguarding**

In cases where there are concerns relating to suspected abuse or neglect of children, Sweet Peas Nursery's Safeguarding Policy will apply. Where it is possible to involve a parent in addressing concerns around their children's welfare every effort will be made to do so.

### **Confidentiality between families of the setting**

Sweet Peas Nursery cannot guarantee that other clients will maintain confidentiality, but we will take every reasonable step to ensure that they do so.

### **Sharing information in relation to Sweet Peas**

All team members, students and volunteers are expected to adhere to strict confidentiality procedures. There will be few occasions where it would be appropriate for team members, students and volunteers to hold a discussion surrounding a family at Sweet Peas.

### **Guidance on how to appropriately share information**

- If a team member has a concern regarding a family they must follow our safeguarding policies and procedures.
- It is not appropriate for a team member to disclose that they have a concern regarding any particular child/family to anyone other than the relevant person.
- All team members must ensure that any conversations to be held regarding a family or child are done so in a professional, matter of fact manner, in an area of the setting where the conversation can be kept confidential and only with the relevant people.
- It is not permitted at any time for a team member to discuss information about a family or an event that has happened at nursery unless they have a legal safeguarding obligation to do so. This includes, but is not limited to, telephone calls, messages, conversations and social media contact with other team members out of setting.



- Team members must not share any personal details regarding other team members without their permission to do so. This includes, but is not limited to, address and contact details and reasons for absence.

### **Personnel records**

All team members will be given a copy of the confidentiality procedure as part of their induction. The implications of the procedure for their work will be explained.

- Access to personnel files can be arranged with the Manager who should make clear the following:
  - Who has access to files and procedure for gaining access.
  - How the information is stored.
- Application forms, interview records, medical information and monitoring forms are confidential to Sweet Peas Nursery.
- Equal opportunity monitoring forms will be detached from application forms on receipt and kept separate from application forms.
- Unsuccessful applicants – Sweet Peas Nursery may wish to monitor all applications and to keep information about applicants. Only the most relevant information should be kept, e.g. race, sexuality, sex and the rest destroyed.
- References – when seeking references for a new employee, it is made clear to the referees that information is sought in confidence.
- Probationary reviews and appraisals. The line Manager should make clear who receives information on the review.
- Medical records will be held in personnel files. Copies of medical certificates and self-certification forms will be placed in personnel files after action for payroll purposes.
- Breaches of confidentiality by our team will normally be treated within the remit of Sweet Peas Nursery's disciplinary and grievance procedure. The nature of any breaches of this procedure will determine the level of disciplinary action, e.g. disclosure of unauthorised team details would be gross misconduct.



## **Client files**

A file concerning each client will be kept by Sweet Peas Nursery. The information recorded will be factual and, where an opinion is recorded, it will be clear that this is opinion and what this is based on. This information should be kept in a filing cabinet, which is kept locked. All files must be returned to the cabinet after use. All clients are protected under the General Data Protection Regulation 2018. Information will be kept for the appropriate amount of time as advised by Leeds City Council once a client has left Sweet Peas Nursery. It will then be destroyed or archived.

All clients have the right to view their files. If a client asks to see their file, the relevant team member should organise this and answer any questions about it and explain what has been written. No clients will have access to any information from a third party which is stored in their files. This is to protect the safety and confidentiality of others. Therefore, third party information should be stored separately within the client record. Sweet Peas Nursery asks that clients give at least 24 hours notice when requesting access to their files.

Clients are expected to respect the rights of other clients to confidentiality and privacy particularly with regards to personal information known about another client.

All computer records will be password protected and compliant with Sweet Peas Nursery's IT security procedures.

We use the e-mail addresses provided by the nursery for related communication and for administration purposes only. The e-mail contents are used for internal training and service improvement where/when applicable and when confidentiality is not specifically requested. However, e-mail addresses and/or contents are not passed or/and published on to third parties or used for marketing purposes, unless there is a written consent from the sender.

Children's progress records are accessible and available to those with permission to view them, but are stored securely otherwise. With prior agreement from Ofsted these may be kept off the premises.

## **Partnerships with other organisations**

Sweet Peas Nursery may be working in partnership with other bodies. Where specific information sharing protocols exist that affect a particular client, all agencies should be aware of this. Sweet Peas Nursery will give all partnership agencies a copy of the confidentiality procedure and will explain the



requirements it places on the partnership organisation that will have access to information and in what circumstances. Management agreements will state that breaches of confidentiality by either party will be treated as a breach of the agreement.

