



Registered Charity No. 1022409

9 Record keeping policy and procedures

9.2 Children's records and data protection

During the Covid-19 outbreak there may be the need to keep additional records as part of outbreak management. A central record of all confirmed cases of Covid-19 that affect any member of staff or service user is held. This record does not contain personal details about the individual (unless a member of staff).

A record is kept of individual cases of children/families who are self-isolating due to symptoms as per usual record-keeping procedures. In all cases the principles of data protection are maintained.

Principles of data protection: lawful processing of data

Personal data shall be:

- a) *processed lawfully, fairly and in a transparent manner in relation to the data subject*
- b) *collected for specified, explicit and legitimate purposes and not further processed in a manner that is not compatible for these purposes*
- c) *adequate, relevant and necessary in relation to the purposes for which they are processed*
- d) *accurate, and where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purpose for which they are processed, are erased or rectified without delay*
- e) *kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed*
- f) *processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ("integrity and confidentiality")* Article 5 of the General Data Protection Regulations (2018)

Practitioners should process data, record and share information in line with the principles above.

General safeguarding recording principles

- It is vital that all relevant interactions linked to safeguarding children's and individual's welfare are accurately recorded.
- All recordings should be made as soon as possible after the event.
- Recording should be to a good standard and clear enough to enable someone other than the person who wrote it, to fully understand what is being described.

- Recording can potentially be viewed by a parent/carer or Ofsted inspector, by the successors of the practitioners who record, and may be used in a family Court as relevant evidence to decide whether a child should remain with their biological parents, or be removed to live somewhere else. Recording needs to be fair and accurate, non-judgemental in tone, descriptive, relevant, and should clearly show what action has been taken to safeguard a child, and reflect decision-making relating to safeguarding.
- Recording should be complete, it should show what the outcome has been, what happened to referrals, why decisions were made to share or not share information, and it should contain summaries and minutes of relevant multi-agency meetings and multi-agency communication.
- If injuries or other safeguarding concerns are being described the description must be clear and accurate and should give specific details of the injury observed and where it is located.

The principles of GDPR and effective safeguarding recording practice are upheld

- Recording is factual and non-judgemental.
- The procedure for retaining and archiving personal data and the retention schedule and subsequent destruction of data is adhered to.
- Parents/carers and children where appropriate are made aware of what will be recorded and in what circumstances information is shared, prior to their child starting at the setting.
- Parents/carers are issued with 9.7 Privacy notice, informed consent to recording and information sharing prior to their child attending the setting and that they sign our Registration Form to say they understand the circumstances in which information may be shared without their consent. If a parent/carer would not expect their information to be shared in any given situation, normally, they should be asked for consent prior to sharing.
- There are circumstances where information is shared without consent to safeguard children. These are detailed below, but in summary, information can be shared without consent if a practitioner is unable to gain consent, cannot reasonably be expected to gain consent, or gaining consent places a child at risk.
- Records can be accessed by and information may be shared with local authority professionals. If there are significant safeguarding or welfare concerns, information may also be shared with a family proceedings Court or the police. Practitioners are aware of information sharing processes and all families should give informed consent to the way the setting will use, store and share information.
- Recording should be completed as soon as possible and within 5 working days as a maximum for safeguarding recording timescales.
- If a child attends more than one setting, a two-way flow of information is established between the parents/carers, and other providers. Where appropriate, comments from others (as above) are incorporated into the child's records.

Children's personal records

Developmental records

These include observations of children in the preschool, photographs, video clips and samples of their work and summary developmental reports on our Tapestry online journal held on individual staffs Kindles.

The Kindles are usually kept at the preschool during work hours and can be accessed, and contributed to, by our staff, the child and the child's parents from their home email. Kindles are password protected and kept in a locked filing cabinet at their key person's home. We have permission from Ofsted to do this.

Personal records

- personal details: registration form and consent forms.
- contractual matters: copies of contract (registration form), days and times of attendance, record of fees, any fee reminders or records of disputes about fees.
- SEND support requirements
- Early support – including any additional focussed intervention provided by the preschool e.g. support for behaviour, language or development that needs an Action Plan at preschool level
- records of any meetings held
- welfare and safeguarding concerns, including records of all welfare and protection concerns and our resulting action, meetings and telephone conversations about the child, and Education, Health and Care Plan and any information regarding a Looked After Child.
- correspondence and reports including a copy of the children's 2 years old progress check (as applicable): all letters and emails to and from other agencies and confidential reports from other agencies
- Children's personal files are kept in a lockable filing cabinet, which is always locked when not in use.
- Correspondence in relation to a child is read, any actions noted, and filed immediately
- Access to children's personal files is restricted to those authorised to see them and make entries in them, this being the preschool manager, deputy or designated person for child protection, the child's key person, or other staff as authorised by the preschool manager.
- Children's files may be handed to Ofsted as part of an inspection or investigation; they may also be handed to local authority staff conducting a S11 audit as long as authorisation is seen.
- Children's personal files are not handed over to anyone else to look at.
- Parents have access, in accordance with our Privacy Notice, Confidentiality and Client Access to Records Policy, to the files and records of their own children, but do not have access to information about any other child.
- Our staff will not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs. Our staff induction programme includes an awareness of the importance of confidentiality in the role of the key person.
- We retain children's records for three years after they have left the setting; except records that relate to an accident or child protection matter, which are kept until a child reaches the age of 21 years or 24 years respectively. These are kept in a secure place.

Other records

- We keep a daily record of the names of the children we are caring for, their hours of attendance and the names of their key person.

- Students, professionals and other outside agencies, when they are observing in the setting, are advised of our Confidentiality and Client Access to Records Policy and are required to respect it.

This policy was adopted on

6th September 2023

Date to be reviewed

6th September 2024

Signed by committee chairperson

Signed by preschool manager
