



Record Keeping Including the Retention of Records

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Review date: November 2018

1. Record Keeping and Observation Statement

- Ⓢ At Little Saints Nursery we offer a Key Person system where members of staff have responsibility for a small group of children. The Key Person ensures that the specific needs of each one of their individual children are recognised through close observation and monitoring of progress. These observations and development progress is tracked in each child's Development File which is continually updated. Such observations enable the Key Person to make assessments of the child's progress according to the seven areas of learning in the Early Years Foundation Stage. These records are confidential but are always available for inspection by the child's parent/carer.
- Ⓢ Both parent/carer and child are made aware of their Key Person soon after their first involvement with the nursery. It is hoped that the Key Person builds a strong professional relationship with both the child and the parents/carers.
- Ⓢ In the event that a child needs some additional support perhaps from the Special Educational Needs team, or the Safeguarding team, these documents are shared with parents but also forwarded to the next setting or school. Under these circumstances, aspects of the child's development file may be shared with external agencies where necessary.
- Ⓢ When each child leaves the nursery their written records go with them, either to another setting, school or parents.

2. Provider Records Policy

Policy statement

We keep records and documentation for the purpose of maintaining our business and to adhere to safeguarding legislation. These include:

- Ⓢ Records pertaining to our registration.
- Ⓢ Landlord/lease documents and other contractual documentation pertaining to amenities, services and goods.
- Ⓢ Financial records pertaining to income and expenditure.
- Ⓢ Risk assessments
- Ⓢ Employment records of staff including their name, home address and telephone number.
- Ⓢ Names and addresses and telephone numbers of anyone else who is regularly in unsupervised contact with the children.

We consider our records as confidential based on the sensitivity of information, such as with employment records. These confidential records are maintained with regard to the framework of the Data Protection Act (1998) and the Human Rights Act (1998).

This policy and procedure is taken in conjunction with the Confidentiality and Client Access to Records Policy and Information Sharing Policy.

Procedures

- 🌀 All records are the responsibility of the management team who ensure they are kept securely.
- 🌀 All records are kept in an orderly way files and filing is kept up-to-date.
- 🌀 Financial records are kept up-to-date for audit purposes.
- 🌀 Health and safety records are maintained; these include risk assessments, details of checks or inspections and guidance etc.
- 🌀 Our Ofsted registration certificate is displayed in the playroom downstairs.
- 🌀 Our Public Liability insurance certificate is displayed in the playroom downstairs.
- 🌀 All our employment and staff records are kept securely and confidentially.

We notify Ofsted of any change:

- 🌀 in the address of the premises;
- 🌀 to the premises' which may affect the space available to us or the quality of childcare we provide;
- 🌀 to the name and address of the provider, or the provider's contact information;
- 🌀 to the person managing the provision;
- 🌀 any significant event which is likely to affect our suitability to look after children ;or
- 🌀 any other event as detailed in the *Statutory Framework for the Early Years Foundation Stage*.

Legal framework

- 🌀 Data Protection Act (1998)
- 🌀 Human Rights Act (1998)

3. Children's Records Policy

Policy statement

We have record keeping systems in place that meet legal requirements; the means we use to store and share that information takes place within the framework of the Data Protection Act (1998) and the Human Rights Act (1998).

This policy and procedure is taken in conjunction with the Confidentiality and Client Access to Records policy and Information Sharing Policy.

Procedures

We keep two kinds of records on children attending our setting:

Development records

- Ⓢ These include observations of children in the setting, photographs and samples of their work and summary development reports.
- Ⓢ These are usually kept in the office and freely accessed by staff and contributed to, by staff, the child and the child's parents.

Personal records

- Ⓢ These include registration and admission forms, signed consent forms, correspondence concerning the child or family, reports or minutes from meetings concerning the child from other agencies, an ongoing record of relevant contact with parents, and observations by staff on any confidential matter involving the child, such as developmental concerns or child protection matters.
- Ⓢ These confidential records are stored in a lockable file or cabinet and are kept secure by the person in charge in an office or other suitably safe place.
- Ⓢ Parents have access, in accordance with our Client Access to Records Policy, to the files and records of their own children through a member of staff, but do not have access to information about any other child.
- Ⓢ Staff do not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs. Staff induction includes 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 nursery, except records that relate to an accident or child protection matter, which are kept until a child reaches the age of 21 years. These are kept in a secure place.

Other records

- Ⓢ We keep daily record of the names of the children we are caring for, their hours of attendance and the names of their key person.
- Ⓢ Issues to do with the employment of staff, whether paid or unpaid, remain confidential to the people directly involved with making personnel decisions.
- Ⓢ Students on Pre-school Learning Alliance or other recognised qualifications and training, when they are observing in the nursery, are advised of our Confidentiality and Client Access to Records Policy and are required to respect it.

Legal framework

- Ⓢ Data Protection Act (1998)
- Ⓢ Human Rights Act (1998)

4. Confidentiality and Client access to records

In our setting, staff and managers 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. There are record keeping systems in place that meet legal requirements; the means we use to store and share that information takes place within the framework of the Data Protection Act (1998) and the Human Rights Act (1998).

Confidentiality procedures

- Ⓢ 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 staff; the setting cannot be held responsible if information is shared beyond 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 inform parents when we need to record confidential information beyond the general personal information we keep (see our children's record policy) - 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 Children's Record Policy).

Client access to records procedures

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

- Ⓢ Any request to see the child's personal file by a parent or person with parental responsibility must be made in writing to the setting managers'.
- Ⓢ The setting manager informs the committee and sends a written acknowledgement.
- Ⓢ The setting commits to providing access within 14 days, although this may be extended.
- Ⓢ The setting's manager and chair prepare the file for viewing.
- Ⓢ All third parties are written to, stating that a request for disclosure has been received and asking for their permission to disclose to the person requesting it. Copies of these letters are retained on file.
- Ⓢ 'Third parties' include all family members who may be referred to in the records.
- Ⓢ It also includes workers from any other agency, including children's social care, the health authority, etc. It is usual for agencies to refuse consent to disclose, preferring the individual to go directly to them.
- Ⓢ When all the consents / refusals to disclose have been received, these are attached to the copy of the request letter.

- Ⓢ A photocopy of the complete file is taken.
- Ⓢ The nursery manager and chair, go through the file and remove any information which a third party has refused consent to disclose. A thick black marker is used to score through every reference to the third party information they have added to the file.
- Ⓢ What remains is the information recorded by the setting, detailing the work initiated and followed by them in relation to confidential matters. This is called the 'clean copy'.
- Ⓢ The 'clean copy' is photocopied for the parents, who are then invited to discuss the contents. The file should never be given straight over, but should be gone through by the nursery manager, so that it can be explained.
- Ⓢ Legal advice may be sought before sharing a file, especially where the parent has possible grounds for litigation against the nursery or another (third party) agency.

All the undertakings above are subject to the paramount commitment of the setting, which is to the safety and well-being of the child. Please see also our policy on Safeguarding Children and Child Protection.

Legal framework

- Ⓢ Data Protection (1998)
- Ⓢ Human Rights (1998)

5. Data Protection Policy

Little Saints Nursery are legally required to maintain data about staff, families and children in accordance with the Data Protection Act 1998, Children's Act 1998 & 2004 and Freedom of Information Act 2000.

Our Registration Number is: Z8761352.

Little Saints designated Data Protection Managers/DSLs are Karen Midgley, Maria Oates and Chair Person Andrew Holme. They are responsible for ensuring compliance with the Data Protection Act and implementation of this policy. Any breach of the policy will be taken seriously and may result in formal action.

If any member of staff, parent/carer who considers that the policy has not been followed in respect of personal data about themselves should raise the matter with the Manager or Chair Person.

Little Saints Nursery is authorised to keep the following records for children and staff:

- Ⓢ Names, addresses telephone numbers of all emergency contacts and people who are authorised to collect children.
- Ⓢ Any Allergies, dietary requirements or illnesses of individual children.
- Ⓢ Times of attendance for children, staff, volunteers and visitors.
- Ⓢ All accidents / incidents.
- Ⓢ Safeguarding documents regarding Staff or ex staff / Children.
- Ⓢ SAP – Support Action Plans (SEN)
- Ⓢ Concerns/ complaints
- Ⓢ Name, address, telephone number of all staff and their next of kin.
- Ⓢ Bank details for members of staff (salary)
- Ⓢ Medical information
- Ⓢ Contract of employment
- Ⓢ Signed policy agreement
- Ⓢ CPD documents
- Ⓢ Absence Information

We uphold the following procedures with regards to data handling and information sharing.

Access to data and records

Staff and parents/ carers whose personal data is held by Little Saints Nursery are entitled to ask what information is being held and how to gain access to it, and how to keep their information up to date.

All staff at Little Saints Nursery are responsible for checking any personal data they provide is accurate and up to date. They should inform the manager of any changes to the information they have provided. Staff should ensure that all data and records of children and families at nursery are kept secure and that personal information is not disclosed either orally or in writing to any unauthorised 3rd parties.

Parents are always allowed access to written records about their own children, except in exceptional circumstances where the data protection law or safeguarding law stipulate it is against the best interests of the child to do so, and where comments and data regarding third parties is incorporated into the child's records.

- Ⓢ All records relating to individual children are kept in a locked room, unless relating to safeguarding issues then it will be locked in the filing cabinet in a locked office and is only available to nursery staff and the governing committee.
- Ⓢ Any child related information deemed as vital evidence regarding Child Protection issues may be shared with related agencies such as social services, police or Child protection.
- Ⓢ Records of children and staff are only accessible to those who have a right or a professional need to see them.
- Ⓢ Child's development records have to be accessible for Ofsted inspectors.
- Ⓢ Children's registration forms , attendance records, records of administering medication, child's development records ,accident /incident forms unless reportable to RIDDOR will be destroyed after 3 years of the child leaving the nursery.
- Ⓢ All financial/government grant information and forms are kept for 7 years.

- Ⓢ All staff and volunteer data will be stored safely and securely and destroyed at the recommended date Attendance register after 3 years of the last date of entry and all other personal details in line with data protection (7 years).
- Ⓢ Any information stored on the computer will be removed when no longer required for that person.
- Ⓢ If the nursery replaces the computer the old computer will be disposed off in line with the government guidelines WEEE or stored in the nursery's loft as a spare for the children.
- Ⓢ The computer is secure within the nursery and has password protection and anti – virus/ firewall installed.
- Ⓢ The children's computer is not internet connected.
- Ⓢ Staff using the local authority on-line submission of data sensitive documents will follow and abide by the procedures set for this purpose by the Authority
- Ⓢ Any information about an individual will be strictly confidential and only used on a need to know basis.
- Ⓢ Safeguarding information about a child will only be shared with parents at a pre-arranged date and time.(see Safeguarding policy and procedure)
- Ⓢ The nursery staff and committee members will abide by the Nursery Confidentiality Policy
- Ⓢ Parents will be given an opportunity to make decisions about the use of photography with their child.

This Policy was adopted on: ____/____/_____

Signed on behalf of the committee: _____

Position: _____