

# Records, Confidentiality, & Information

## Sharing Policy & Procedure

*(Including Access, Storage, and Transfer of Information)*

### Policy Statement

At Goldilocks Nursery, we are committed to maintaining the privacy, safety, and well-being of all children and their families. We follow UK legislation and best practice in managing, storing, sharing, and transferring records and information. This policy combines our approaches to:

- Children's Records
- Confidentiality and Access to Records
- Information Sharing
- Transfer of Records to School or Other Settings

We recognise our obligations under:

- General Data Protection Regulation (GDPR) 2018
- Human Rights Act 1998
- Children Act 1989 and 2004
- Freedom of Information Act 2000
- Working Together to Safeguard Children (HM Government, 2023)
- ICO Data Sharing Code of Practice (2021)

Our guiding principle is:

**“The safety and well-being of the child is our paramount concern.”**

### I. Types of Records Held

We maintain two categories of records for each child:

#### **a) Developmental Records**

- Observations, photographs, videos, and work samples
- Progress summaries (e.g. 2-Year Progress Check)
- Developmental assessments

**All of this information is stored on your child's learning journal on Family**

#### **b) Personal and Confidential Records**

- Registration and consent forms
- Attendance and contract information
- Health, well-being, and SEN records
- Correspondence with parents and external agencies
- Child protection and safeguarding records, where applicable
- Any Education, Health and Care Plans (EHCPs)

## **2. Confidentiality**

We recognise our staff may have confidential relationships with families. We ensure:

- Personal and sensitive information is only accessed by authorised staff.
- Discussions about children are limited to those involved in their care or planning.
- Records are securely stored (locked cabinet or encrypted digital systems).
- All staff receive training in confidentiality during induction.
- Visitors, volunteers, and students are made aware of our confidentiality policy.

## **3. Information Sharing**

We follow the **seven golden rules of information sharing** and base all decisions on:

1. GDPR and human rights law are not barriers to justified sharing.
2. We are open and honest with families about how and why information may be shared.
3. We seek advice when unsure.
4. We share with informed consent where possible.
5. We always consider the safety and well-being of the child.
6. Information shared is necessary, proportionate, accurate, timely, and secure.
7. We record all decisions made to share — or not to share — and the reasons.

**We may share information without consent when:**

- A child is at risk of or suffering significant harm
- To prevent or detect a serious crime
- The public interest outweighs confidentiality

## **4. Consent**

We request parental consent for most types of information sharing. However:

- Consent can be overridden where safeguarding is a concern
- Parents are informed of our approach via our Privacy Notice and Registration Form
- Consent must be freely given and can be withdrawn at any time
- We consider consent from one parent (usually the resident parent) in cases of separation
- For looked-after children, consent may also be required from the local authority

## **5. Parental Access to Records (Subject Access Requests)**

Parents have the right to request access to their child's records. We follow these steps:

- Requests must be made in writing
- We respond within one month (or up to three months for complex cases)
- We may redact third-party information where consent is not given
- Sensitive staff information may be protected if safety is at risk
- A 'clean copy' of the file is prepared and explained in person to the parent
- Parents may take a copy after the discussion
- Disputes are handled via our Complaints Procedure
- Parents may request factual inaccuracies to be corrected; differing opinions are documented but not changed

## **6. Storage, Retention & Security**

- Paper records are stored in locked cabinets
- Digital files are stored securely with encryption; cloud storage is used where appropriate

- Files are accessible only by authorised staff
- Children’s records are retained for 25 years
  - Accident records: retained until child is 21
  - Safeguarding records: retained until child is 24
- Files are archived securely at the end of the retention period

## 7. Transfer of Records to Other Settings

### a) Developmental Records

- A summary of the child’s learning and progress is prepared by the key person
- Includes languages spoken, any SEN or EHCP, and special support provided
- Summary is signed by the parent and shared with the new school/setting

### b) Safeguarding/Child Protection Records

- Any child protection concerns or records are shared securely with the receiving setting’s Designated Safeguarding Lead (DSL)
- If a Section 47 investigation occurred, the child’s social worker’s details are included
- These documents are delivered securely (in person, by post, or using encrypted email), marked **confidential**
- We do not share the child’s entire personal file

## 8. Staff Responsibilities

- The Designated Safeguarding Lead (DSL) oversees all safeguarding-related records and sharing
- The Nursery Manager ensures GDPR and access processes are followed
- Key persons are responsible for maintaining accurate developmental records
- All staff have a duty to record, share, and escalate concerns appropriately

## 9. Monitoring and Review

- This policy is reviewed annually or sooner if legislation changes
- The Nursery Manager is responsible for leading reviews and ensuring compliance
- All staff are made aware of updates

## 10. Legal Framework

- General Data Protection Regulation (GDPR) 2018
- Human Rights Act 1998
- Children Act 1989 & 2004
- Freedom of Information Act 2000
- Working Together to Safeguard Children (2023)
- ICO Data Sharing Code of Practice (2021)

## 11. Further Guidance

- **Information Sharing: Advice for Practitioners** (HM Government, 2018)
- **Working Together to Safeguard Children** (HM Government, 2023)
- **What To Do If You’re Worried a Child is Being Abused** (HM Government, 2015)
- **ICO Data Sharing Code of Practice** (Information Commissioner’s Office, 2021)