

DATA STORAGE AND RETENTION POLICY

Statement of intent

Bishy Barnabees recognizes that parents have a right to know that the information they share with us will be regarded as confidential as well as be informed about the circumstances when and the reasons why, we are obliged to share information.

Aim

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.

Consent

- When parents choose Bishy Barnabees for their child they share information about themselves and their families this information is regarded as confidential. Parents have a right to be informed that we will seek their consent to share information in most cases as well as the kinds of circumstances when we may not seek their consent. We inform them as follows:
 - Our policies and procedures set out our responsibility regarding gaining consent to share information;
 - We may cover this verbally when the child starts or include this in our prospectus;
 - Parents sign our registration form to confirm they understand this;
 - We ask parents to give written consent to share information about any additional needs their child may have, to access previous providers development summaries and to enable us to pass on all relevant information regarding their child's development when they leave Bishy Barnabees;
 - Some parents may share information about themselves with other parents as well as with us, we can not be held responsible if information is shared by those parents whom the person has confided in;
 - We will keep copies of correspondence and the replies on the child's file.

Records

- We have record keeping systems in place that meet legal requirements on how we store and share that information, takes place within the framework of the Data Protection Act 1998 and the Human Rights Act 1998.
- We are obliged to share confidential information without authorization from the person who provided it or to whom it relates if it is in the public interest that is when it is:

- To prevent a crime from being committed or to intervene where one may have been or to prevent harm to a child or adult;
- Where there is evidence that the child is suffering or is at risk of suffering significant harm;
- Where there is reasonable cause to believe that the child maybe suffering or is at risk of suffering significant harm;
- To prevent significant harm arising to children, young people or adults including the prevention, detection and prosecution of serious crime.
- We record discussions regarding concerns on sensitive matters and discuss these with our designated person – Louise Kerry, from the management team for Child Protection matters. We record decisions made and follow the procedures for reporting concerns as per our Safeguarding Policy. All information recorded is stored securely in the office, in a locked filing cabinet.
- All information gathered before a child starts at Bishy Barnabees Day Nursery is kept securely in a locked filing cabinet. Computers may be used to type reports and correspondence to parents.
- We use a specialized computer package to store information regarding the child, their families, other authorized personnel, and to produce invoices and fees. Only members of the management team have access to this information.
- Our staff discuss children’s general progress and wellbeing together in meetings but more sensitive information is restricted to our managers and the child’s Key Person and is shared with other staff on a need to know basis. We do not discuss children with other staff members who are not involved in the child’s care nor with other parents or anyone else outside Bishy Barnabees. Our discussions with other professionals take place within a professional framework and not on an informal basis.
- Sensitive subjects may be discussed with a child’s Key Person and parent away from the main nursery room to maintain confidentiality.
- We keep two kinds of records on file on children attending Bishy Barnabees;
 - Personal Records
 - Contractual matters which include a copy of the signed parent contract, the child’s days and times of attendance and a record of children’s fees – these may be stored on a computer programme or in paper form;
 - Early Support including any additional focused intervention provided by Bishy Barnabees, i.e. support for behavior, language or development that needs an IEP;
 - Welfare concerns –records of all welfare concerns including statements of Special Educational Needs and any information regarding a looked after child;
 - Correspondence and reports including a copy of the child’s 2 year progress check and/or letters and emails to and from other agencies and any other confidential reports;
 - Ofsted – we may be required to hand child’s personal files to Ofsted as part of an inspection or investigation process;

- We retain child's records for three years after they have left Bishy Barnabees 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.
 - Developmental Records
 - These include observations of children in Bishy Barnabees, photographs, samples of their work and developmental reports. These are usually kept in the child's named drawer and can be accessed and contributed to by the child's Key Person, the child and the child's parents/carers.
- It is an offence to remove material that is controversial or to rewrite records to make them more acceptable. Bishy Barnabees' recording procedures ensure the material reflects an accurate and non judgmental account of the work done with the child. If a parent feels aggrieved about any recordings regarding the child then Bishy Barnabees refers the parents to their complaints procedure.

Transfer of Records

- We recognize that children sometimes move to another Early Years Setting before they go on to school although many will leave Bishy Barnabees to enter a reception class at school. We prepare children for these transitions and involve parents and the receiving school in this process. We prepare records about a child's development and learning in the EYFS in order to enable smooth transitions and we share appropriate information with the receiving setting or school at transfer.
- Confidential records are shared where there have been child protection concerns according to the process required by our LSCB.
- Where a CAF has been raised in respect of any welfare concerns Bishy Barnabees will pass the name and contact details of the lead professional onto the receiving setting or school.
- Where there has been a Section 47 investigation regarding a Child Protection concern we will pass the name and contact details of the child's Social Worker on to the receiving setting or school regardless of the outcome of the investigation. We will post or take the information to the school or setting ensuring it is addressed to the settling or schools designated person for child protection and marked as Confidential.
- We do not pass any other documentation from a child's personnel file to the receiving setting or school.

Provider Records

- We keep records and documentation for the purpose of maintaining our business these include records pertaining to our registration, Landlord lease documents, financial records pertaining to income and expenditure, policies and Risk Assessments, employment records of staff including their

name, home address and telephone number, these also covers students and volunteers;

- All records are the responsibility of the management to ensure they are kept securely and kept in an orderly way;
- Financial records are kept up to date for audit purposes;
- Health and Safety records are maintained which include Risk Assessments;
- Our Ofsted registration certificate is displayed along with our public liabilities insurance.

Legal Framework

- Data Protection Act 1998
- Human Rights Act 1998
- Children Act 1989 & 2004
- Information Sharing guidance for practitioners and managers DCSF 2008
- Freedom of Information Act 2000

Please read this in conjunction with our Safeguarding Policy, Health and Safety Policy, Looked After Children Policy, Transition Policy and Confidentiality Policy.

This policy was adopted in March 2015, updated August 2016
Reviewed March 2017