



For attention of all employees, volunteers, visitors and contractors

Introduction

All employees, volunteers, visitors and contractors should be aware that information relating to individual children or members of staff is confidential. This agreement is intended to help you understand how to protect children at all times. The agreement also aims to give employees, volunteers, visitors and contractors clear unambiguous guidance as to their legal and professional roles and to ensure good practice throughout the school.

Policy statement

Definition: 'Confidential information is information of some sensitivity, which is not already lawfully in the public domain or readily available from another public source, and which has been shared in a relationship where the person giving the information understood it would not be shared with others.' (Information Sharing: Practitioners' Guide)

In our school, staff 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 school. 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; means of storing and sharing that information take place within the framework of the Data Protection Act and the Human Rights Act.

Confidentiality procedures

- We always check whether parents regard the information they share with us to be regarded as confidential or not.
- Some parents sometimes share information about themselves with other parents as well as staff; the school 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 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 record keeping procedures) - 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 our record keeping procedures).

Parental access to records procedures

Parents may request access to any confidential records held on their child and 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 Headteacher.
- The Headteacher informs the Chair of the Governors and sends a written acknowledgement.
- The school commits to providing access within 14 days, although this may be extended.
- The Headteacher and Chair of Governors 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 social services, 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 Headteacher and Chair of Governors go through the file and remove any information which a third party has refused consent to disclose. This is best done with a thick black marker, to score through every reference to the third party and information they have added to the file.
- What remains is the information recorded by the school, 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 in to discuss the contents. The file should never be given straight over, but should be gone through by the Headteacher, 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 school or another (third party) agency.

All the undertakings above are subject to the paramount commitment of the school, which is to the safety and well-being of the child. Please see also our policy on child protection.

Legal framework

- Data Protection Act 1998
- Human Rights Act 1998
- GDPR (2018)

Agreement

I understand my role and responsibility in maintaining the confidentiality of children and members of staff at Wingate Nursery School, as detailed below:

1. I recognise that I am in a position whereby, at certain times, I may have access to information concerning individual stakeholders. I am aware that members of staff and volunteers may well have connections (family or friends) within the school and may overhear conversations of a sensitive nature.
2. I agree to only discuss information relating to Wingate Nursery School and its stakeholders on a 'need to know' basis. I will keep confidential any information heard, read or shared between members of staff, outside agencies and parents / carers regarding a child or the child's family.
3. I agree not to post or share information online through any means, including social media sites (e.g. Facebook, Twitter, Instagram), which relates to any individual stakeholder or brings the school into disrepute. I will not contribute to discussions or conversations on social networking sites regarding the school and anyone associated with it.
4. I agree to pass anything that I hear that raises questions about the professionalism of someone working at the school to the Headteacher.
5. I agree to report anything of concern regarding a child, or if a child reports anything of concern, to the designated person for child protection.
6. I agree to conduct conversations of a sensitive nature regarding children or adults in a private space.
7. I agree not to leave paperwork regarding children, parents or members of staff on display at any time. I also agree that paperwork that contains personal or sensitive information that is no longer required is shredded.
8. As a volunteer I understand that I am responsible to the teacher who I am placed with, and I should discuss with them any concerns or information that needs to be shared about stakeholders.
9. I agree to refer all requests for information by an outside agency or the media to the Headteacher.
10. I agree to uphold the good name of Wingate Nursery School in discussions both inside and outside of school.

Signature: _____ **Date:** _____

Print Name: _____

Role in School: _____

Signature of School Representative: _____ **Date:** _____