

Langshott Ladybirds Nursery

Confidentiality Procedure and Data Protection

The nursery manager has responsibility for data protection.

Langshott Ladybirds Nursery aims to respect and protect the privacy of children and their parents/carers. We aim to ensure that all parents/carers can share their information in the confidence that it will only be used to enhance the welfare, education and development of their child and to enable the nursery to claim Free Entitlement from the Surrey County Council (where applicable).

We have record systems in place that meet legal requirements, the means we use to store and share information is within the framework of General Data Protection Regulation 2018 and The Human Rights Act 1998

The nursery collects and holds personal information on children and parents for a range of purposes. We may also receive information from previous provisions your child may have attended, other provisions your child attends now, other professionals Surrey county Council or the Department for Education.

The nursery will seek parental consent to collect and use personal data for the specific purposes set out in the following policy.

Personal data collected will be used to :

- Support your child's learning
- Monitor and report on their progress
- Comply with statutory guidance
- Comply with Early Years Free Education process for claims and auditing purposes

Information collected will include :

- Address and contact details for the parents of the child
- Emergency contact details
- Details of other provisions attended by the child
- Record of childhood vaccinations
- Eligibility codes for 30 hours funding where required (to include NI number of parent)
- Attendance information
- Ethnicity
- Special needs or disabilities
- Record of child development
- Relevant medical information
- Setting the child will go to when they leave Langshott Ladybirds Nursery
- Safeguarding information (will be passed onto any receiving setting/school)

Personal information will be stored for 7 years from date child starts at nursery.

We will never give information about a child or their parents without specific parental consent, unless the law and the policies of the nursery allow us to do so. If you would like a copy of the information held by the nursery about your family, please contact the nursery manager. A copy of the nursery confidentiality procedure and data protection policy is available at the nursery. Parents are asked not to use email or social media to pass on confidential information to the nursery, your key person will always be happy to help or you can give us a call on 07713622761. Information received by email will not be stored. We are required, by law, to pass certain information to Surrey County Council and the Department for Education (DfE), this will always be passed either through a secure online account, be password protected or sent in the post by recorded delivery.

The DfE may also share pupil level personal data, that we supply to them, with third parties. This will only take place where legislation allows it to do so and when it is in compliance with GDPR 2018. Decisions on whether the DfE releases this personal data to third parties are subject to a robust approval process and are based on a detailed assessment of who is requesting the data, the purpose for which it is required, the level and sensitivity of data requested and the arrangements in place to store and handle the data. To be granted access to pupil level data, requestors must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements and retention, and use of the data. For more information on how the sharing process works please visit : <https://www.gov.uk/guidance/national-pupil-database-apply-for-a-data-extract>

For further information on which third party organisations (and for which project) pupil level data has been provided to, please visit : <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

If you require further information about how Surrey County Council, West Sussex Council and/or DfE collect and use your information, please visit:

- The Surrey County Council : <https://www.surreycc.gov.uk/your-council/accessing-information-that-we-hold>
- West Sussex Council <https://www.westsussex.gov.uk/about-the-council/information-and-data/data-protection/>
- The DfE : <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>
- If you think there is a problem with the way Langshott Ladybirds Nursery is handling your data please contact the ICO

Developmental Records

These include observations of the children in the setting, photographs, samples of work, and summary developmental records.

These records are stored in key persons' drawers in our office and are freely accessed and contributed to by all members of staff, children also contribute to their own record of development. Parents may contribute to their own child's record of development at any time, key persons are happy to pass files to parents on request, these may be taken home with the parent or looked over and contributed to in the setting.

Record files are only ever shared with the child's own parent or carer. Parents and other visitors to nursery do not have access to children's record files. With specific parental permission child progress summaries

may be passed to other settings the child attends, at transition times such as moving to another nursery or to school. All developmental records are passed to parents when the child leaves our setting.

Personal Records

These include registration and admission forms, consent forms, correspondence concerning the child or family, reports or minutes from other agencies, ongoing record of contact with parents, detailed observations by staff concerning the child (such as developmental concerns or child protection matters).

These confidential records are stored overnight in a locked cupboard in the office and are kept secure in a place, easily accessible to staff throughout the session (for use in the event of emergency evacuation). The office is locked overnight.

Parents may have access to their own child's personal records on request, but do not have access to information about any other child.

Staff will not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs or welfare. Staff induction includes an awareness of the importance of confidentiality and data protection in the role of the key person.

Children's records and parent contact details are retained for 7 years, except for records that relate to an accident, incident or child protection matter (before 2024, or passed onto receiving schools/settings after 2024), these are kept until the child reaches the age of 21 years. These records are stored in a secure place and when destroyed will be shredded.

Other Records

A daily record is kept of the children attending nursery each session, their hours of attendance, absence and reason for absence and the name of their key person.

Issues directly linked to staff and volunteer employment remain confidential to the people directly involved in making personnel decisions.

Students working in nursery on work placements or as part of a course may need to observe children within the setting. Students are required to write to individual parents to obtain permission to observe their child. Students are advised of the nursery policy with regard to confidentiality (more information may be found within the Student Policy).

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, Langshott Ladybirds Nursery cannot be held responsible if information is shared beyond those parents whom the person has confided in.
- Information shared between parents at meetings is bound by a shared agreement that the information is confidential to the group and must not be discussed outside of it.
- Parents are informed of accidents, incidents relating to their child.

- Parents are informed when we need to record confidential information beyond general personal information, for example with regard to any injuries, concerns or changes relating to the child or the family, discussions of sensitive matters with parents, records we are required to keep regarding action taken in respect of child protection and any contact and correspondence with external agencies in relation to their child.

Client access to personal records procedure

Parents may always have access to their child's record file and personal details held during the time their child is registered with Langshott Ladybirds Nursery.

Parents may request access to any (archived) confidential records held on their child and family following the procedure below

- Any request to see a child's personal file by a parent or carer must be made in writing to the nursery manager
- The manager will inform the committee and send written acknowledgement
- The nursery will provide access within 14 days although this may need to be extended
- The nursery manager, SENCO and chair to committee 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 may include all family members who may be referred to in the records, workers from other agencies, children's social care, local health authority, etc.(It is usual for agencies to refuse to disclose, preferring the individual to go directly to them)
- When all consents/refusals to disclose have been received, these are attached to the copy of the request letter. A photocopy of the completed 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 and 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 then called 'the clean copy'
- The clean copy is photocopied for 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 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 setting or another (third party) agency

Emails and social networks

- Emails containing sensitive or personal information will be sent via EGRESS switch , a secure email service, or if this is not available be password protected. Personal and confidential information will never be shared on email, parents should speak with their key person in Ladybirds if they wish to share confidential information.
- Emails sent from parents will be read and where necessary printed out and filed with other information stored by the nursery for their child. Emails not requiring further action will be deleted.
- Facebook and Instagram is used to inform parents of events, planning activities, and general news from Ladybirds. The nursery does not communicate with parents over this forum,

should a parent send a private message they will be directed to our email address or phone number. The nursery tries where possible to verify the security of the sites used, the nursery policy on facebook and Instagram use is to protect parents from having information shared by a third party without their knowledge.

All of the above are subject to the paramount commitment of Langshott Ladybird Nursery, which is to the safety and well-being of the child.

Staff Records

The nursery collects and holds personal information on staff and committee members for a range of purposes. The nursery may also receive information from previous employers, DBS or other professional bodies, Surrey pay roll, Ofsted.

Personal data collected will be used to :

- Confirm suitability for the staff member to carry out their role in the nursery
- Comply with statutory guidance on safe working practice
- Comply with statutory guidance on staff supervision
- Ensure safe working practices
- Instruct payroll
- Safeguard staff member
- Safeguard children

Information collected will include :

- Staff member home address, phone number and email address
- Date of birth
- Emergency contact details in the event of illness or accident (staff member)
- DBS Disclosure number and update information
- Contract of employment
- National insurance number
- Details of qualifications
- References
- Tax code
- Attendance information
- Pay and hours information
- Duty sessions
- Record of medication
- Record of disability
- Self-assessment
- Annual appraisal
- Cautions or convictions disclosure

The nursery will never give information about individual staff members without their specific consent, unless the law and the policies of the nursery allow us to do so. If you would like a copy of the information held by Ladybirds Nursery about you, please contact the nursery manager.

The nursery will seek consent from staff and committee members to hold and process personal information with regard to the above.

Should a data breach occur at Langshott Ladybirds Nursery it must be reported to the Independent Commissioners Office using the following contact details:

- www.ico.org.uk
- 0303 123 1113 (helpline for small business and charities)

Guidance on registering with ICO, resources, support and legislation can be found on the website www.ico.org.uk

Mini guides can be accessed through nursery membership with Pre-school Learning Alliance

www.pre-school.org.uk/gdpr

First point of contact with enquiries regarding GDPR is the nursery manager

Should GDPR be breached in any way all individuals concerned will be notified.

In the case of a serious breach of the GDPR (financial, personal or criminal damage at stake) the Information Commissioner's Office will be informed within 72 hours of breach.

This policy was written in accordance with General Data Protection Regulation and the Human Rights Act 1998, and with support from Pre School Learning Alliance

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