

# Lamphey Playgroup

## Confidentiality Policy.

Lamphey Playgroup ensures and respects the privacy of the children, their parents/carers and staff in our duty to provide a high-quality childcare and education setting. As an organisation that processes personal data we are registered with the Information Commissioner's Office or ICO (ZA057242 ).

Confidential information and records about staff, parents/carers and children are held securely and only accessible and available to those who have a right or professional need to see them. Lamphey Playgroup is aware of and fully compliant in our responsibilities under the General Data Protection Regulation 2018 (GDPR), Data Protection Act 1998 (DPA) and where relevant the Freedom of Information Act. This policy sets out how Lamphey Playgroup will follow the Principles of Accountability, by showing the systems in place and how we are complying with GDPR. Further guidance can be found on the website of the Information

Commissioner's Office at: <https://ico.org.uk/>

Types of Data Personal data is any data that can be linked to a single person and which identifies them in some way. For example, a name and personal email address and/or information such as phone numbers, bank details, addresses and date of birth.

Lamphey Playgroup keeps an audit of all the personal data that we hold. This includes data on parents/carers, children, staff and Committee members, and any other adults (potential new staff/visitors, students etc.) The audit includes where the information came from, what we do with it and who we share it with, how long we keep it and when and how it is destroyed or deleted.

### **The lawful bases for processing data are:**

- Consent: the individual has given clear consent to process their personal data for a specific purpose
- Contract: the processing is necessary for a contract with the individual
- Legal obligation: the processing is necessary to comply with the law
- Vital interests: the processing is necessary to protect someone's life
- Public task: the processing is necessary to perform a task in the public interest or for official function
- Legitimate interests: the processing is necessary for legitimate interests

Following the Principles set out in Article 5 of the GDPR, Lamphey Playgroup will ensure:

- We have a lawful reason for collecting the data and we will be fair and transparent on how we process it
- We will only collect data for a specified purpose and only use it for that purpose

- We must only collect the data that is necessary
- All data must be accurate and be kept up to date
- We must not keep the data for longer than is necessary
- We must keep it safe

Lamphey Playgroup will appoint a Data Protection Lead who must understand their role, must have a clear idea of what type of data is held, what it's used for, where it's stored, how long it's kept for and if it's shared anywhere else. Lamphey Playgroup Data Protection Lead is Simon Thomas.

### **Record Keeping**

Lamphey Playgroup will issue all parents/carers and staff with a Privacy Notice, detailing the six lawful bases for processing information, and consenting to Lamphey Playgroup continuing to hold and process their data and send information.

The Privacy notice acts as an 'opt-in system' where parents/carers and staff can choose how they receive information about Lamphey Playgroup and our Committee.

As Lamphey Playgroup cares for children under the age of 4. We will gain consent from whoever holds parental responsibility for the child. We will only use the personal information to enable us to provide an early year's education service and to pass on information to keep in contact with parents/carers and staff.

Lamphey Playgroup will keep the information secure and will only share it as necessary and appropriate for funding purposes) or if required by law (e.g. for safeguarding purposes).

Parents/carers have access to all written information about their child (except where data protection laws stipulate it is against the best interest of the child).

Parents/carers do not have the right to access information about any other child.

Staff will discuss personal information given by parents/carers with other members of staff, on a need to know basis, and only if it affects the needs or development of the child.

Staff will not discuss or partake in any discussion about any other child or their family with any other parents/carers.

Staff induction includes an awareness of the importance of confidentiality in the role of the Key Person.

Parents/carers and staff can ask Lamphey Playgroup to delete any data held at any time and we will comply in accordance with our statutory obligations.

Although parents/carers and staff can withdraw consent if they wish to, this may affect Lamphey Playgroup being able to continue to care for the child or continue their employment.

### **Personal Records**

These confidential records are stored in a lockable filing cabinet in the office.

- Registration and admission forms
- Signed consents e.g. Permissions Form, Privacy Notice and Information Sharing Consent Form

- 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/carers and observations by staff and any confidential matter involving the child i.e. developmental concerns or safeguarding issues.

Although records need to be kept for 3 years, in line with Regulation 30 of 'The Child Minding and Day Care (Wales)' regulation 2010, some records may be kept longer for other purposes, such as insurance.

### **Development Records**

We aim to ensure that all parents/carers and staff feel confident enough to share information on the understanding that it will only be used to enhance the welfare of the children.

Parents/carers are required to give written permission for Lamphey Playgroup staff to record observations and assessments of their child's progress, and to share this information with any other settings that the child may attend.

Lamphey Playgroup will ensure we keep parents/carers fully informed of their children's progress and development and will give verbal feedback to parents/carers about their child's time with us.

We only share information about our families and staff with other professionals or agencies on a "need to know" basis, following consent from the parent/carer. These include:

- Photographic and written observations of children, summary development reports and progress checks that are completed.
- Paper records such are stored securely in a locked filing cabinet.
- Records are shared with other professionals when required (following written parental consent) and are sent securely using Hwb email accounts or posted and marked private and confidential in a sealed envelope.

### **Sharing Information**

- We will not share personal information with any other organisations without parental consent (unless the child is at risk of significant harm eg police, Social services CIW)
- If we become aware of a data breach of a third-party processor we must notify the ICO within 72 hours
- Where evidence to support our concerns are not clear we may seek advice from Pembrokeshire County Council
- We only share relevant information that is both accurate factual, non-judgmental and up to date
- Care should be taken when speaking on the telephone that no information is given about a child unless speaking directly to the parents/carers, emergency contacts or professionals
- Students, when they are observing in the setting, are advised of our confidentiality policy and are required to always respect it.

Personal information about children, parents/carers or staff must not be looked at by students on placement unless specific consent has been given by a parent/carer for a specific reason.