

**Crombie School**

**Early Learning and Childcare**

**Confidentiality and Data Protection Policy**

**POLICY AIM**

The Confidentiality and Data Protection Policy has been developed in line with The United Nations Convention of the Child (UNRC) (1989): ***Article 16*** *You have the right to a private life. For instance, you can keep a diary that other people are not allowed to see.*

We aim to ensure that the Confidentiality and Data Protection procedures are fair, equitable and responsive to the privacy of all individuals and their families, meeting the following Health and Social Care Standards:

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| ***1.2*** *My human rights are protected and promoted and I experience no discrimination.****2.7*** *My rights are protected by ensuring that any surveillance or monitoring device that I or the**organisation use is necessary and proportionate, and I am involved in deciding how it is**used.* |

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| The Complaints Policy is underpinned by the following national and local authority policy and guidance:* Care Inspectorate,2016,” Complaints”
* United Nations Convention on the Rights of the Child, 1989
* Scottish Government, 2017, Health and Social Care Standards My support, my life
* Education Scotland, 2016, How Good is our early learning and childcare?
* Aberdeenshire Council Policy Guidance, “Complaints Procedure”
* Aberdeenshire Council Guidance, “have your say guide to the Complaints handling procedure “
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**Who is responsible?**

Head Teacher, Early Years Senior Practitioner, Early Years Lead Practitioner Nursery Staff, Parents/carers

***This policy will be reviewed regularly and in response to accident, incident or change in national or local policy or guidance***

**PROCEDURE**

This policy exists to protect children, parents, carers, families and staff and to ensure that everyone using the nursery is absolutely clear about issues of confidentiality and what the nursery’s procedures and routines are in respect of this matter.

 In the course of their work staff will have access to information that is confidential

* Medical details.
* Marital status.
* Parents’ employment situation.
* Court orders – concerning child’s residence or contact with family members, including foster children and Social Work Department placements.
* Child protection – where there is cause for concern, staff can pass on relevant information following the set procedures without parental knowledge. This is the only exception to the policy of open information to the parent.
* Religion.
* Addresses and phone numbers.
* Child development records – shared with parents, staff and relevant professionals and schools at appropriate times.

It is essential that information be kept within these boundaries. It is therefore expected that staff (including students) –

* Do not discuss children / parents / carers outside the school.
* Do not discuss other people’s children with a parent / carer.
* Do not discuss children / parents / carers in school where they may be overheard.
* Only discuss confidential information with outside agencies with permission of the Head Teacher
* Do not share any documentation with any other families other than who intended for.

Parents / carers will be made aware that records are kept on their child and that information may be shared with staff where necessary. Parents / carers have access to their child’s records. Confidential records are stored in a locked filing cabinet in the school office and in the nursery. They will only be accessed by staff who are bound by the confidentiality policy. No personal information will be kept in open access documents (e.g. diaries). All staff records are kept confidential. Staff may see their own records at any time.

At Crombie Nursery, we welcome parents and visitors to help in our nursery. This allows a partnership between parents, staff the wider community and children. This allows parents to see how children are actively engaged during their time in nursery.

All volunteers coming into nursery will need to have completed the relevant documentation of ‘Volunteering Forms’ or ‘PVG’ Once checks have been completed, all volunteers must then have an interview with a member of the senior management team which clearly outlines confidentiality and data protection procedures and expectations.

While volunteering in the nursery you may notice such things as:

* Friendship groups
* Levels of attention
* Behaviours
* Upset children
* Remarks by staff

It is important that any information noted about an individual child remains wholly in school. Parents and children can be understandably upset if any private and confidential information is shared out with school.

Rest assured teachers will always communicate directly with parents if there are any concerns about any aspect of a child’s learning or behaviour.

If confidential matters are discussed inappropriately it will be taken as a breach of confidentiality or data protection. In order to protect the privacy of staff and children any individual found breaching this confidentiality would no longer be able to volunteer in nursery.

**References**

Care Inspectorate, 2016, “Complaints”

Aberdeenshire Council, no date available, “Complaints Procedure”

<http://publications.aberdeenshire.gov.uk/dataset/072f6c0d-955a-4f4c-a228-568e30884391/resource/52439609-98b5-45eb-b1e6-0d418371ba27/download/full-complaints-procedure-customerv6.pdf>

Aberdeenshire Council, no date available, “Have Your Say Guide and Complaints Process”

<https://aberdeenshire.gov.uk/contact-us/have-your-say/have-your-say-guide>

Aberdeenshire Council, no date available, “Employee’s Guide to the Complaints Handling Procedure”

<https://aberdeenshire.sharepoint.com/sites/Arcadia/services/Documents/Business%20Services/CCI/Customer%20Service/Employee%20complaints%20procedure.pdf#search=complaints>

United Nations Convention on the Rights of the Child, 1989 <https://www.unicef.org.uk/what-we-do/un-convention-child-rights/>

Scottish Government 2017, Health & Social Care Standards, My support, my life.

<https://www.gov.scot/publications/health-social-care-standards-support-life>

**Date of original policy**

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| **Revision Number** | **Details of Change** | **Date** | **Date of next review** |
| 1 | Full review of procedures | September 2019 |  |
| 2 | Policy Update | July 2020 | August 2021 ü |
| 4 | Policy Update  |  |  |
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 **Policy Author** Diane Booth EYSP

**Read by Staff:**

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| --- | --- | --- | --- |
| **Staff Name**  | **Date & Initial** | **Date & Initial** | **Date & Initial** |
| Adele Dickson |  |  |  |
| Claire Hawthorne |  |  |  |
| Diane Booth | **6/08/20 DB** | **30.07.21 DB** |  |
| Elizabeth Duffy | **09/04/21 ED** | **13/08/21 ED** |  |
| Denise Jamieson |  |  |  |
| Jamie Finnie |  |  |  |
| Mary Olszewska | **09.04.2021 MBO** | **03.08.2021****MBO** |  |
| Gemma Bremner | **6/7/21 GB** |  |  |
| Lesley Robinson |  | **03/08/21 LR** |  |
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