

Confidentiality Policy



Confidentiality Policy: Grass Roots Private Day Nursery

Statement of Intent

The Grass Roots Private Day Nursery Confidentiality Policy has been developed to ensure the privacy of our families and staff while maintaining the highest standards of safeguarding. This policy is built upon the principles of:

- The Data Protection Act 2018 (The UK's implementation of data protection standards).
- The UK General Data Protection Regulation (UK GDPR).
- The Data (Use and Access) Act 2025 (Providing new rights regarding data complaints and subject access clarifications).
- The Human Rights Act 1998.
- The Freedom of Information Act 2000.
- Crime and Disorder Act 1998 S17.
- Children Act 1989 (S17 and 47) and Children Act 2004 (S10, 11, and 12).
- The Welfare Regulations required by Section 40 of the Childcare Act 2006.

This policy must be read in conjunction with the nursery's Safeguarding and Child Protection and Allegations against Staff policies.

Rationale and Principles

At Grass Roots, we believe the safety and protection of children are of paramount importance. We aim to create an environment where:

- Information sharing between staff is used effectively to ensure the wellbeing of children.
- Parents, children, and staff understand the boundaries of confidentiality and feel safe discussing personal issues.
- Everyone understands that absolute confidentiality cannot be offered if there is a risk to a child's safety.
- The nursery management team is responsible for implementing and monitoring this policy. The Designated Safeguarding Lead (DSL) is Emma Ford.

Staff, Visitors, and Volunteers Responsibilities

All individuals working within the setting must adhere to the following:

- **Interest of the Child:** Staff must inform parents/colleagues at the outset that complete confidentiality cannot be offered if there are concerns for a child's safety.
- **Need to Know:** Information is shared only with those who require it to perform their professional duties.
- **Accuracy and Security:** Information must be accurate, up-to-date, and shared only via secure, approved nursery platforms.
- **Statutory Rights (2025):** In accordance with the Data (Use and Access) Act 2025, individuals have a statutory right to lodge data-related complaints directly with the nursery

management before escalating to the Information Commissioner's Office (ICO).

Digital Records and Access

We maintain digital records to ensure both child development and safety. In line with modern security standards, we utilise the following systems:

Developmental Records and the Family App

- **The Family App:** We use a dedicated app for daily observations, progress tracking, and parent communication.
- **Access:** Parents have secure, password-protected access to their own child's profile. Staff are granted access on a "Need to Know" basis (e.g., room-specific access).
- **App Privacy:** We only use third-party processors that provide a formal Data Processing Agreement (DPA) and meet UK GDPR standards.

Personal and Sensitive Data (Google Drive)

- **Storage:** Sensitive information (registration forms, contracts, and agency correspondence) is stored on a secure Google Drive.
- **Security:** To prevent unauthorised access, all management accounts used to access this data are protected by Two-Factor Authentication (2FA).
- **Restricted Access:** This information is strictly restricted to the Nursery Management Team. General staff do not have access to these folders unless specifically required for safeguarding or medical reasons.

Subject Access Requests (SARs)

- Parents may request access to the data we hold about their child.
- "Stop the Clock" Provision (2025): Under the Data (Use and Access) Act 2025, the nursery may "stop the clock" on the 30-day response deadline if we require further clarification from the requester to locate specific information.

Breaking Confidentiality

If a staff member is concerned about a child's welfare, they must immediately speak to the DSL. Confidentiality will be bypassed in cases of:

- Risk of significant harm to a child (Safeguarding).
- Prevention or detection of a serious crime.
- Statutory duty to share information under the Children's Wellbeing and Schools Bill 2025 and current KCSIE guidance.

Personnel and Students

- **Employment Records:** Issues regarding the employment of staff remain strictly confidential to those involved in personnel decisions.
- **Students/Volunteers:** All students and volunteers are briefed on this policy and must sign a confidentiality agreement before starting their placement.

Monitoring and Review

All setting personnel and visiting staff will have access to a copy of this policy. It forms part of our

setting development plan and is reviewed annually to reflect changes in guidance and legislation.