

Children's Records and Data Protection

Procedures

***** During an outbreak of serious illness of disease (such as Covid-19) at St Joseph's Pre-School Unit there may be the need for Management to keep additional records as part of outbreak management. In all cases the principles of data protection are maintained*****

Principles of data protection: lawful processing of data

At St Joseph's Pre-School Unit all personal data will be:

- a) processed lawfully, fairly and in a transparent manner in relation to the data subject
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is not compatible for these purposes
- c) adequate, relevant, and necessary in relation to the purposes for which it is being processed.
- d) accurate, and where necessary, kept up to date; every reasonable step will be taken to ensure that personal data that are inaccurate, having regard to the purpose for which they are processed, are erased or rectified without delay.
- e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is required.
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage, using appropriate technical or organisational measures.

("integrity and confidentiality")

General Data Protection Regulations (2018)

The staff in the Pre-School Unit will always process data, record and share information in line with the principles above.

General safeguarding recording principles

At St Joseph's Pre-School Unit, we recognise that:

- It is vital that all interactions linked to safeguarding children's and individual's welfare will be accurately recorded.
- All recordings will be made as soon as possible after the event.

- Recording will be to a good standard and clear enough to enable someone other than the person who wrote it, to fully understand what is being described.
- Recording may potentially be viewed by a parent/carer or Ofsted inspector, by the successors of the staff in the Pre-School Unit who record it and may be used in a family Court as relevant evidence to decide whether a child should remain with their biological parents or be removed to live somewhere else.
- At St Joseph's Pre-School we recognise that recording needs to be fair and accurate, non-judgemental in tone, descriptive, relevant, and clearly show what action has been taken to safeguard a child and reflect decision-making relating to safeguarding.
- At St Joseph's Pre-School Unit recording will be complete and show what the outcome has been, what happened to referrals, why decisions were made to share or not share information, and it will contain summaries and minutes of relevant multi-agency meetings and multi-agency communication.
- At St Joseph's Pre-School Unit when injuries or other safeguarding concerns are being described the description will be clear and accurate and give specific details of the injury observed and where it is located.

The principles of GDPR and effective safeguarding recording practice

St Joseph's Pre-School Unit will ensure that:

- Recording is factual and non-judgemental.
- The procedure for retaining and archiving personal data and the retention schedule and subsequent destruction of data is adhered to.
- Parents/carers and children where appropriate will be made aware of what will be recorded and in what circumstances information will be shared, prior to their child starting at the setting.
- Parents/carers will be given opportunity to offer informed consent to recording and information sharing prior to their child attending the setting at registration. If a parent/carer would not expect their information to be shared in any given situation, normally, they will be asked for consent prior to sharing.
- There will be some circumstances where information is shared without consent to safeguard children. These are detailed below, but in summary, information can be shared without consent if the Manager or Deputy Manager is unable to gain consent, cannot reasonably be expected to gain consent, or if gaining consent places, a child at risk.
- Records can be accessed by and information may be shared with local authority professionals. If there are significant safeguarding or welfare concerns, information may also be shared with a family proceedings Court or the police. All staff will be aware of information sharing processes and all families will give informed consent to the way the setting will use, store and share information at registration.

- Recording will be completed as soon as possible and within 5 working days as a maximum for safeguarding recording timescales.
- If a child attends more than one setting, a two-way flow of information will be established between the parents/carers, and other providers. Where appropriate, comments from others (as above) can be incorporated into the child's records.

Children's personal files

- At St Joseph's Pre-School Unit appropriate files will be used, these will be made of robust card (not ring binders) and be secured.
- The children's files will contain:
 - personal details: registration form copy of their birth certificate and consent forms.
 - contractual documents: copy of payment the contract, parent declaration, planned hours of attendance and funding information.
 - SEND support requirements.
 - additional focussed intervention provided by the setting e.g., support for behaviour, language or development that needs an Action Plan (IEP)
 - records of any meetings held.
 - welfare and safeguarding concerns: correspondence and reports: all letters and emails to and from other agencies and confidential reports from other agencies
- Children's personal files will kept in a filing cabinet, which will always locked when not in use.
- Correspondence in relation to a child will be read, actions noted, and then it will be filed immediately.
- Access to children's personal files will be restricted to those authorised to see them and make entries in them, this being the Manager, Deputy and Designated Safeguarding Person, other staff and the child's key person will have access as authorised by the Pre-School Manager.
- Children's personal files are never handed over to anyone else to look at.

****Children's files may be handed to Ofsted as part of an inspection or investigation; they may also be handed to local authority staff conducting a S11 audit as long as authorisation is seen****