

Safeguarding and Welfare Requirement: Information and Records

Providers must maintain records and obtain and share information to ensure the safe and efficient management of the setting, and to help ensure the needs of all children are met.

10.0 Busy Bees Preschool Privacy notice

Introduction

We are committed to ensuring that any personal data we hold about you and your child is protected in accordance with data protection laws and is used in line with your expectations.

This privacy notice explains what personal data we collect, why we collect it, how we use it and how we protect it.

What personal data do we collect?

We collect personal data about you and your child to provide care and learning that is tailored to meet your child's individual needs. We also collect information to verify your eligibility for free childcare as applicable.

Personal details that we collect about your child include:

- Your child's name, date of birth, address, health and medical needs, development needs, and any special educational needs.

Where applicable we will obtain child protection plans from social care and health care plans from health professionals.

We will ask for information about who has parental responsibility for your child and any court orders pertaining to your child.

Personal details that we collect about you include:

- Your name, home address, phone numbers, emergency contact details, and family details.

Some of this information will be collected from you directly in the application form, which will be destroyed once your child starts at Busy Bees or if you decide not to come. The main form which holds this information is the contacts form.

If you apply for 2 year funding or up to 30 hours funded childcare, we will also collect:

- Your national insurance number or unique taxpayer reference (UTR), if you're self-employed. We may also collect information regarding benefits and family credits that you are in receipt of.

Why we collect this information and the legal basis for handling your data.

We use personal data about you and your child to provide childcare services and fulfil the contractual arrangement you have entered into. This includes using your data to:

- Contact you in case of an emergency
- To support your child's wellbeing and development
- To manage any special educational, health or medical needs of your child whilst at our setting
- To carry out regular assessments of your child's progress and respond to any questions you may have
- To process your claim for funding (only where applicable)
- To keep you updated with information about our services.

With your consent, we will also record your child's activities for their individual learning record. This may include photographs and videos. You will have the opportunity to withdraw your consent at any time, for images taken by confirming so in writing.

With your consent, we may also use photographs of your child for promoting the setting including, but not exclusive to, Facebook, our website, displays, and marketing materials.

We have a legal obligation to process safeguarding related data about your child should we have concerns about their welfare. We also have a legal obligation to transfer records and certain information about your child to the school that they will be attending (see *Transfer of Records policy*).

Who we share your data with

In order for us to deliver childcare services we will also share your data as required with the following categories or recipients:

- Ofsted – during an inspection or following a complaint about our service
- Banking services to process chip and pin, BACS and/or direct debit payments (as applicable)
- The Local Authority (where you claim for 2 year or up to 30 hours funded childcare as applicable)
- The government's eligibility checker (as above)
- Our insurance underwriter (if applicable)
- Our setting software management provider (if applicable)
- For transitions to other settings

We will also share your data if:

- We are legally required to do so, e.g. by law, by a court or the Charity Commission
- To enforce or apply the terms and conditions of your contract with us
- To protect your child and other children; e.g. by sharing information with social care or the police
- It is necessary to protect our or other's rights, property or safety
- We transfer the management of the setting, in which case we may disclose your personal data to the prospective buyer, so they may continue the service in the same way.

We will never share your data with any other organisation to use for their own purposes.

How do we protect your data?

We protect unauthorised access to your personal data and prevent it from being lost, accidentally destroyed, misused, or disclosed by:

Storing paper documents in a locked cupboard at the setting.

Storing electronic documents and information on a password protected laptop and tablets.

How long do we retain your data?

- We retain your child's personal data for up to 3 years after your child no longer uses our setting, or until our next Ofsted inspection after your child leaves our setting.
- Registers, medication records and accident records are kept until your child reaches the age of 21 or until your child reaches the age of 24 for child protection, SEND records and health care plans.
- Your child's learning and development records are maintained by us and handed to you when your child leaves.

- In some circumstances (child protection, or other support service referrals) we are obliged to keep your data for longer if it is necessary to comply with legal requirements and in accordance with the Local Safeguarding Children Board's requirements (see our Children's and Provider's Records policies).

Automated decision making

We do not make any decisions about your child based solely on automated decision making.

Your rights with respect to your data

You have the right to:

- Request access, amend or correct your/your child's personal data
- Request that we delete or stop processing your/your child's personal data, e.g. where the data is no longer necessary for the purposes of processing; and
- Request that we transfer your, and your child's personal data to another person

If you wish to exercise any of these rights at any time or if you have any questions, comments or concerns about this privacy notice, or how we handle your data please contact us. If you have any concerns about the way your data is handled and remain dissatisfied after raising your concern with us, you have the right to complain to the Information Commissioner Office (ICO). The ICO can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or www.ico.org.uk/

Changes to this notice

We keep this notice under regular review. You will be notified of any changes where appropriate.

Further Reading

- Statutory Framework for The Early Years Foundation Stage 2017, 2021 (given legal force by Childcare Act 2006)
- Limitation Act 1980
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)
- General Data Protection Regulations (2018)

This policy was adopted by _____(name of provider)

Held on _____(date)

Date to be reviewed _____

Signed on behalf of the provider _____

Name of signatory _____

Role of signatory _____

Safeguarding and Welfare Requirement: Information and Records

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10.2 Admissions

Policy statement

It is our intention to make our setting accessible to children and families from all sections of the local community. We aim to ensure that all sections of our community have access to the setting through open, fair and clearly communicated procedures. We aim to enable all children and families the opportunity to attend our Forest School sessions if there are spaces available.

Procedures

- We ensure that the existence of our setting is widely advertised in places accessible to all sections of the community.
- We ensure that information about our setting is accessible and provided in written and spoken form.
- We will provide translated written materials where language needs of families suggest this is required, as well as access to an interpreter. Where necessary, we will try to provide information in Braille, or through Makaton Sign Language.
- We arrange our waiting list by taking into account the following:
 - the age of the child
 - the vicinity of the home to the setting,
 - siblings already attending the setting or have attended in the past; and
 - a 'looked after child' (those in Local Authority).
- We keep a place vacant, if this is financially viable, to accommodate an emergency admission.
- We describe our setting and its practices in terms that make it clear that it welcomes both fathers and mothers, other relations and other carers, including childminders.
- We describe how our practices treat each child and their family, having regard to their needs arising from their gender, special educational needs, disabilities, social background, religion and ethnicity or from English being a newly acquired additional language.
- We describe how our practices enable children and/or parents with disabilities to take part in the life of the setting.
- We monitor the gender and ethnic background of children joining the group to ensure that our intake is representative of social diversity.
- We make our Valuing Diversity and Promoting Equality Policy widely known.
- We consult with families about the opening times of the setting to ensure we accommodate a broad range of families' needs.

- We are flexible about attendance patterns to accommodate the needs of individual children and families, providing these do not disrupt the pattern of continuity in the setting that provides stability for all the children.
- The Forest School sessions will be offered to our existing children first. If spaces allow, each child will be given the opportunity to attend at least one of the weekly sessions regularly before they move on to school.
- If we have a waiting list for Forest School sessions, we will offer them in date of birth order so that those leaving us for school get the opportunity of the experience.
- We would like as many of our children to have the opportunity to access the Forest School sessions as possible.

Giving Notice

- If parents/carers choose to stop sending their child to Busy Bees preschool after the child's start date, they must give the setting 6 weeks notice.
- Parents/carers may withdraw their child at any point within the 6 week notification period.
- Any fees must be paid up to the end of the notice period.

Other useful Early Years Alliance publications

- Seasonal Hello Posters (2006)

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Held on _____ *(date)*

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Role of signatory (e.g. chair, director or owner) _____

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10.5 Parental involvement

Policy statement

We believe that children benefit most from early years education and care when parents and settings work together in partnership.

Our aim is to support parents as their children's first and most important educators by involving them in their children's education and in the full life of the setting. We also aim to support parents in their own continuing education and personal development.

Some parents are less well represented in early years settings; these include fathers, parents who live apart from their children, but who still play a part in their lives, as well as working parents. In carrying out the following procedures, we will ensure that all parents are included.

When we refer to 'parents' we mean both mothers and fathers; these include both natural or birth parents, as well as step-parents and parents who do not live with their children, but have contact with them and play a part in their lives. 'Parents' also includes same sex parents, as well as foster parents.

The Children Act (1989) defines *parental responsibility* as '*all the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his property*'. (For a full explanation of who has parental responsibility, refer to the Early Years Alliance publication *Safeguarding Children*.)

Procedures

- We have a means to ensure all parents are included - that may mean we have different strategies for involving fathers, or parents who work or live apart from their children.
- We consult with all parents to find out what works best for them.
- We ensure ongoing dialogue with parents to improve our knowledge of the needs of their children and to support their families.
- We inform all parents about how the setting is run and its policies, through access to written information and through regular informal communication. We check to ensure parents understand the information that is given to them.
- We encourage and support parents to play an active part in the governance and management of the setting.
- We inform all parents on a regular basis about their children's progress.
- We involve parents in the shared record keeping about their children - either formally or informally – and ensure parents have access to their children's written developmental records.
- We provide opportunities for parents to contribute their own skills, knowledge and interests to the activities of the setting.
- We inform parents about relevant conferences, workshops and training.

- We consult with parents about the times of meetings to avoid excluding anyone.
- We provide information about opportunities to be involved in the setting in ways that are accessible to parents with basic skills needs, or those for whom English is an additional language.
- We hold meetings in venues that are accessible and appropriate for all.
- We welcome the contributions of parents, in whatever form these may take.
- We inform all parents of the systems for registering queries, complaints or suggestions and we check to ensure these are understood. All parents have access to our written complaints procedure.
- We provide opportunities for parents to learn about the curriculum offered in the setting and about young children's learning, in the setting and at home.

In compliance with the Safeguarding and Welfare Requirements, the following documentation is in place:

- Admissions Policy.
- Complaints procedure.
- Record of complaints.
- Developmental records of children.

Other useful Early Years Alliance publications

- Complaint Investigation Record (2012)
- Engaging Mothers & Fathers (2010)
- Safeguarding Children (2010)
- Looking at Learning Together (2005)
- The First and Foremost Series (2008)

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Safeguarding and Welfare Requirement: Information and Records

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10.6 Children's records

Policy statement

We have record keeping systems in place that meet legal requirements; the means we use to store and share that information takes place within the framework of the Data Protection Act (1998) and the Human Rights Act (1998).

This policy and procedure is taken in conjunction with the Confidentiality and Client Access to Records Policy and the Information Sharing Policy.

Procedures

We keep two kinds of records on children attending our setting:

Developmental records

- These include observations of children in the setting, photographs, video clips and samples of their work and summary developmental reports.
- These are kept online using a secure system called Tapestry which is password protected, and can be freely accessed, and contributed to, by staff, the child and the child's parents.

Personal records

- These include registration and admission forms, signed consent forms, 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, and observations by staff on any confidential matter involving the child, such as developmental concerns or child protection matters.
- These confidential records are stored in a lockable file or cabinet and are kept secure by the person in charge in an office or other suitably safe place.
- Parents have access, in accordance with our Client Access to Records Policy, to the files and records of their own children, 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. Staff induction includes an awareness of the importance of confidentiality in the role of the key person.
- We retain children's records for three years after they have left the setting, except records that relate to an accident or child protection matter, which are kept until a child reaches the age of 21 years. These are kept in a secure place.

Other records

- We keep a daily record of the names of the children we are caring for, their hours of attendance and the names of their key person.

- Issues to do with the employment of staff, whether paid or unpaid, remain confidential to the people directly involved with making personnel decisions.
- Students on Pre-school Learning Alliance or other recognised qualifications and training, when they are observing in the setting, are advised of our Confidentiality and Client Access to Records Policy and are required to respect it.

Legal framework

- Data Protection Act (1998)
- Human Rights Act (1998)

Further guidance

- Information Sharing: Guidance for Practitioners and Managers (DCSF 2008)

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Safeguarding and Welfare Requirement: Information and Records

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10.7 Provider records

Policy statement

We keep records and documentation for the purpose of maintaining our business. These include:

- Records pertaining to our registration.
- Landlord/lease documents and other contractual documentation pertaining to amenities, services and goods.
- Financial records pertaining to income and expenditure.
- Risk assessments.
- Employment records of staff including their name, home address and telephone number.
- Names, addresses and telephone numbers of anyone else who is regularly in unsupervised contact with the children.

We consider our records as confidential based on the sensitivity of information, such as with employment records. These confidential records are maintained with regard to the framework of the Data Protection Act (1998) and the Human Rights Act (1998).

This policy and procedure is taken in conjunction with the Confidentiality and Client Access to Records Policy and Information Sharing Policy.

Procedures

- All records are the responsibility of the management team who ensure they are kept securely.
- All records are kept in an orderly way in files and filing is kept up-to-date.
- Financial records are kept up-to-date for audit purposes.
- Health and safety records are maintained; these include risk assessments, details of checks or inspections and guidance etc.
- Our Ofsted registration certificate is displayed.
- Our Public Liability insurance certificate is displayed.
- All our employment and staff records are kept securely and confidentially.

We notify Ofsted of any change:

- in the address of the premises;
- to the premises which may affect the space available to us or the quality of childcare we provide;
- to the name and address of the provider, or the provider's contact information;
- to the person managing the provision;
- any significant event which is likely to affect our suitability to look after children; or
- any other event as detailed in the Statutory Framework for the Early Years Foundation Stage (DfE 2012) (2021).

Legal framework

- Data Protection Act 1998
- Human Rights Act 1998

Other useful Early Years Alliance publications

- Accident Record (2010)
- Accounts Record (2005)
- Safeguarding Children (2010)
- Recruiting and Managing Employees (2010)
- Financial Management (2010)
- Medication Record (2010)
- Daily Register and Outings Record (2012)
- Managing Risk (2009)
- Complaints Investigation Record (2012)

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Safeguarding and Welfare Requirement: Information and Records

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10.8 Transfer of records to school

Policy statement

We recognise that children sometimes move to another early years setting before they go on to school, although many will leave our setting to enter a nursery or reception class.

We prepare children for these transitions and involve parents and the receiving setting or school in this process. We prepare records about a child's development and learning in the Early Years Foundation Stage in our setting; in order to enable smooth transitions, we share appropriate information with the receiving setting or school at transfer.

Confidential records are shared where there have been child protection concerns according to the process required by our Hampshire Safeguarding Children Partnership.

The procedure guides this process and determines what information we can and cannot share with a receiving school or setting.

Procedures

Transfer of development records for a child moving to another early years setting or school

- Using the Development Matters in the Early Years Foundation Stage guidance and our assessment of children's development and learning, the key person will prepare a summary of achievements in the seven areas of learning and development.
- The record refers to:
 - any additional language spoken by the child and his or her progress in both languages;
 - any additional needs that have been identified or addressed by the setting;
 - any special needs or disability.
- The record contains a summary by the key person and a summary of the parent's view of the child.
- The document may be accompanied by other evidence, such as photos or drawings that the child has made.
- When a child transfers to a school, most local authorities provide an assessment summary format or a transition record, which we will follow as applicable.
- If there have been any welfare or protection concerns, a star is placed on the front of the assessment record.

Transfer of confidential information

- The receiving school or setting will need to have a record of any safeguarding or child protection concerns that were raised in the setting and what was done about them.
- A summary of the concerns will be made to send to the receiving setting or school, along with the date of the last professional meeting or case conference. Some Local Safeguarding Children Boards will stipulate the forms to be used and provide these.
- Where a TAF has been raised in respect of any welfare concerns, the name and contact details of the lead professional will be passed on to the receiving setting or school.
- Where there has been a s47 investigation regarding a child protection concern, the name and contact details of the child's social worker will be passed on to the receiving setting or school – regardless of the outcome of the investigation.
- This information is posted or taken to the school or setting, addressed to the setting or school's designated person for child protection and marked as 'confidential'.

Legal framework

- Data Protection Act (1998)
- Freedom of Information Act (2000)
- Human Rights Act (1998)
- Children Act (1989)

Further guidance

- What to do if You're Worried a Child is Being Abused (HMG 2006)
- Information Sharing: Guidance for Practitioners and Managers (DCSF 2008)

This policy was adopted at a meeting of _____ *(name of provider)*

Held on _____ *(date)*

Date to be reviewed _____ *(date)*

Signed on behalf of the provider

Name of signatory

Role of signatory (e.g. chair, director or owner)

Safeguarding and Welfare Requirement: Information and Records

Confidential information and records about staff and children must be held securely and only accessible and available to those who have a right or professional need to see them.

10.9 Confidentiality and client access to records

Policy statement

'Confidential information is information that is not normally in the public domain or readily available from another source, it should have a degree of sensitivity and value and be subject to a duty of confidence. A duty of confidence arises when one person provides information to another in circumstances where it is reasonable to expect that the information will be held in confidence.'

Information Sharing: Guidance for Practitioners and Managers (DCSF 2008)

In our setting, staff and managers can be said to have a 'confidential relationship' with families. It is our intention to respect the privacy of children and their parents and carers, while ensuring that they access high quality early years care and education in our setting. We aim to ensure that all parents and carers can share their information in the confidence that it will only be used to enhance the welfare of their children. There are record keeping systems in place that meet legal requirements; the means we use to store and share that information takes place within the framework of the Data Protection Act (1998) and the Human Rights Act (1998).

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; the setting cannot be held responsible if information is shared beyond those parents whom the person has 'confided' in.
- Information shared between parents in a discussion or training group is usually bound by a shared agreement that the information is confidential to the group and not discussed outside of it.
- We inform parents when we need to record confidential information beyond the general personal information we keep (see our Children's Records Policy) - for example with regard to any injuries, concerns or changes in relation to the child or the family, any discussions with parents on sensitive matters, any records we are obliged to keep regarding action taken in respect of child protection and any contact and correspondence with external agencies in relation to their child.
- We keep all records securely (see our Children's Records Policy).

Client access to records procedures

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

- Any request to see the child's personal file by a parent or person with parental responsibility must be made in writing to the setting leader or manager.
- The setting leader informs the management team and sends a written acknowledgement.
- The setting commits to providing access within 14 days, although this may be extended.
- The setting's leader and chair, director or owner 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' include all family members who may be referred to in the records.
- It also includes workers from any other agency, including children's social care, the health authority, etc. It is usual for agencies to refuse consent to disclose, preferring the individual to go directly to them.
- When all the consents/refusals to disclose have been received, these are attached to the copy of the request letter.
- A photocopy of the complete file is taken.
- The setting leader and chair, director or owner 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 called the 'clean copy'.
- The 'clean copy' is photocopied for the 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 setting leader, 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.

Additional information regarding Forest School

- Any visitors will be made aware of the importance that the woodland is private land and not to be visited other than during our Forest School sessions.
- Only the areas specified by the landowners are to be used during Forest School sessions.
- When opening up Forest School sessions to parents, carers and childminders, they will be made aware that any information regarding the children is confidential.
- Parents, carers and childminders must only take photographs of their own children during Forest School sessions to protect the identity of others.
- Accessing information to assist with Forest School sessions such as plant recognitions, must be done at a time which is safe to do so.

All the undertakings above are subject to the paramount commitment of the setting, which is to the safety and well-being of the child. Please see also our policy on Safeguarding Children and Child Protection

Legal framework

- Data Protection Act (1998)
- Human Rights Act (1998)

Further guidance

- Information Sharing: Guidance for Practitioners and Managers (DCSF 2008)

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Safeguarding and Welfare Requirement: Information and Records

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10.10 Information sharing

'Practitioners need to understand their organisation's position and commitment to information sharing. They need to have confidence in the continued support of their organisation where they have used their professional judgement and shared information professionally.'

Information Sharing: Guidance for Practitioners and Managers (DCSF 2008).

Policy statement

We recognise that parents have a right to know that the information they share with us will be regarded as confidential, as well as to be informed about the circumstances when, and the reasons why, we are obliged to share information.

We are obliged to share confidential information without authorisation from the person who provided it, or to whom it relates, if it is in the public interest. That is when:

- it is to prevent a crime from being committed or to intervene where one may have been, or to prevent harm to a child or adult; or
- not sharing it could be worse than the outcome of having shared it.

The decision should never be made as an individual, but with the back-up of the management team. The three critical criteria are:

- Where there is evidence that the child is suffering, or is at risk of suffering, significant harm.
- Where there is reasonable cause to believe that a child may be suffering, or is at risk of suffering, significant harm.
- To prevent significant harm arising to children and young people or adults, including the prevention, detection and prosecution of serious crime.

Procedures

Our procedure is based on the seven golden rules for information sharing as set out in Information Sharing: Guidance for Practitioners and Managers (DCSF 2008).

1. *Remember that the Data Protection Act is not a barrier to sharing information but provides a framework to ensure that personal information about living persons is shared appropriately.*
 - Our policy and procedures on Information Sharing provide guidance to appropriate sharing of information with external agencies.

2. *Be open and honest with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could, be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.*

In our setting we ensure parents:

- receive information about our Information Sharing Policy when starting their child in the setting and that they sign our Registration Form to say that they understand the circumstances in which information may be shared without their consent. This will only be when it is a matter of safeguarding a child or vulnerable adult;
 - have information about our Safeguarding Children and Child Protection Policy; and
 - have information about the other circumstances when information will be shared with external agencies, for example, with regard to any special needs the child may have or transition to school.
3. *Seek advice if you are in any doubt, without disclosing the identity of the person where possible.*
 - Managers contact children's social care for advice where they have doubts or are unsure.
 4. *Share with consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, that lack of consent can be overridden in the public interest. You will need to base your judgement on the facts of the case.*
 - Guidelines for consent are part of this procedure.
 5. *Consider safety and well-being: Base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions.*

In our setting we:

- record concerns and discuss these with the setting's designated person and/or designated officer from the management committee for child protection matters;
 - record decisions made and the reasons why information will be shared and to whom; and
 - follow the procedures for reporting concerns and record keeping.
6. *Necessary, proportionate, relevant, accurate, timely and secure: Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.*
 - Our Safeguarding Children and Child Protection Policy and Children's Records Policy set out how and where information should be recorded and what information should be shared with another agency when making a referral.
 7. *Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.*
 - Where information is shared, the reasons for doing so are recorded in the child's file; where it is decided that information is not to be shared that is recorded too.

Consent

Parents have a right to be informed that their consent to share information will be sought in most cases, as well as the kinds of circumstances when their consent may not be sought, or their refusal to give consent may be overridden. We do this as follows:

- Our policies and procedures set out our responsibility regarding gaining consent to share information and when it may not be sought or overridden.

- We may cover this verbally when the child starts or include this in our prospectus.
- Parents sign our Registration Form at registration to say they understand this.
- Parents are asked to give written consent to share information about any additional needs their child may have, or to pass on child development summaries to the next provider/school.
- Copies are given to parents of the forms they sign.
- We consider the following questions when we need to share:
 - Is there legitimate purpose to sharing the information?
 - Does the information enable the person to be identified?
 - Is the information confidential?
 - If the information is confidential, do we have consent to share?
 - Is there a statutory duty or court order requiring us to share the information?
 - If consent is refused, or there are good reasons not to seek consent, is there sufficient public interest for us to share information?
 - If the decision is to share, are we sharing the right information in the right way?
 - Have we properly recorded our decision?

All the undertakings above are subject to the paramount commitment of the setting, which is to the safety and well-being of the child. Please also see our Safeguarding Children and Child Protection Policy.

Legal framework

- Data Protection Act (1998)
- Human Rights Act (1998)

Further guidance

- Information Sharing: Guidance for Practitioners and Managers (DCSF 2008)

This policy was adopted at a meeting of	_____	<i>(name of provider)</i>
Held on	_____	<i>(date)</i>
Date to be reviewed	_____	<i>(date)</i>
Signed on behalf of the provider	_____	
Name of signatory	_____	
Role of signatory (e.g. chair, director or owner)	_____	

Safeguarding and Welfare Requirement: Information and Records

Providers must maintain records and obtain and share information to ensure the safe and efficient management of the setting, and to help ensure the needs of all children are met.

10.11 Working in partnership with other agencies

Policy statement

We work in partnership with local and national agencies to promote the well-being of all children.

Procedures

- We work in partnership, or in tandem with, local and national agencies to promote the well-being of children.
- Procedures are in place for the sharing of information about children and families with other agencies. These are set out in the Information Sharing Policy, Safeguarding Children and Child Protection Policy and the Supporting Children with Special Educational Needs Policy.
- Information shared by other agencies with us is regarded as third party information. This is also kept in confidence and not shared without consent from that agency.
- When working in partnership with staff from other agencies, we make those individuals welcome in the setting and their professional roles are respected.
- We follow the protocols for working with agencies, for example on child protection.
- Staff from other agencies do not have unsupervised access to the child they are visiting in the setting and do not have access to any other child(ren) during their visit.
- Our staff do not casually share information or seek informal advice about any named child/family.
- When necessary, we consult with local and national agencies who offer a wealth of advice and information that help us to develop our understanding of the issues facing us and who can provide support and information for parents. For example, ethnic/cultural organisations, drug/alcohol agencies, welfare rights advisors or organisations promoting childcare and education, or adult education.

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Held on	_____	<i>(date)</i>
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Signed on behalf of the provider	_____	
Name of signatory	_____	
Role of signatory (e.g. chair, director or owner)	_____	

Safeguarding and Welfare Requirement: Information and Records

Providers must put in place a written procedure for dealing with concerns and complaints from parents and/or carers.

10.12 Making a complaint

Policy statement

Our setting believes that children and parents are entitled to expect courtesy and prompt, careful attention to their needs and wishes. We welcome suggestions on how to improve our setting and will give prompt and serious attention to any concerns about the running of the setting. We anticipate that most concerns will be resolved quickly, by an informal approach to the appropriate member of staff. If this does not achieve the desired result, we have a set of procedures for dealing with concerns. We aim to bring all concerns about the running of our setting to a satisfactory conclusion for all of the parties involved.

Procedures

All settings are required to keep a written record of any complaints that reach stage two and above, and their outcome. This is to be made available to parents, as well as to Ofsted inspectors on request. A full procedure is set out in the Early Years Alliance publication Complaint Investigation Record (2012) which acts as the 'summary log' for this purpose.

Making a complaint

Stage 1

- Any parent who has a concern about an aspect of the setting's provision talks over, first of all, his/her concerns with the setting leader.
- Most complaints should be resolved amicably and informally at this stage.

Stage 2

- If this does not have a satisfactory outcome, or if the problem recurs, the parent moves to this stage of the procedure by putting the concerns or complaint in writing to the setting leader and the management team.
- For parents who are not comfortable with making written complaints, there is a template form for recording complaints in the Complaint Investigation Record; the form may be completed with the person in charge and signed by the parent.
- The setting stores written complaints from parents in the child's personal file. However, if the complaint involves a detailed investigation, the setting leader may wish to store all information relating to the investigation in a separate file designated for this complaint.
- When the investigation into the complaint is completed, the setting leader or manager meets with the parent to discuss the outcome.

- Parents must be informed of the outcome of the investigation within 28 days of making the complaint.
- When the complaint is resolved at this stage, the summative points are logged in the Complaint Investigation Record.

Stage 3

- If the parent is not satisfied with the outcome of the investigation, he or she requests a meeting with the setting leader and the chair, director or owner. The parent may have a friend or partner present if they prefer and the leader should have the support of the management team.
- An agreed written record of the discussion is made, as well as any decision or action to take as a result. All of the parties present at the meeting sign the record and receive a copy of it.
- This signed record signifies that the procedure has concluded. When the complaint is resolved at this stage, the summative points are logged in the Complaint Investigation Record.

Stage 4

- If at the stage three meeting the parent and setting cannot reach agreement, an external mediator is invited to help to settle the complaint. This person should be acceptable to both parties, listen to both sides and offer advice. A mediator has no legal powers, but can help to define the problem, review the action so far and suggest further ways in which it might be resolved.
- Staff or volunteers within the Early Years Alliance are appropriate persons to be invited to act as mediators.
- The mediator keeps all discussions confidential. S/he can hold separate meetings with the setting personnel (setting leader and chair, director or owner) and the parent, if this is decided to be helpful. The mediator keeps an agreed written record of any meetings that are held and of any advice s/he gives.

Stage 5

- When the mediator has concluded her/his investigations, a final meeting between the parent, the setting leader and the chair, director or owner is held. The purpose of this meeting is to reach a decision on the action to be taken to deal with the complaint. The mediator's advice is used to reach this conclusion. The mediator is present at the meeting if all parties think this will help a decision to be reached.
- A record of this meeting, including the decision on the action to be taken, is made. Everyone present at the meeting signs the record and receives a copy of it. This signed record signifies that the procedure has concluded.

The role of the Office for Standards in Education, Children's Services and Skills (Ofsted) and the Hampshire Safeguarding Children Partnership.

- Parents may approach Ofsted directly at any stage of this complaints procedure. In addition, where there seems to be a possible breach of the setting's registration requirements, it is essential to involve Ofsted as the

registering and inspection body with a duty to ensure the Safeguarding and Welfare Requirements of the Early Years Foundation Stage are adhered to.

- The number to call Ofsted with regard to a complaint is:

0300 1231231

- These details are displayed on our setting's notice board.
- If a child appears to be at risk, our setting follows the procedures of the Hampshire Safeguarding Children Partnership.
- In these cases, both the parent and setting are informed and the setting leader works with Ofsted or the Hampshire Safeguarding Children Partnership to ensure a proper investigation of the complaint, followed by appropriate action.

Records

- A record of complaints in relation to our setting, or the children or the adults working in our setting, is kept; including the date, the circumstances of the complaint and how the complaint was managed.
- The outcome of all complaints is recorded in the Complaint Investigation Record, which is available for parents and Ofsted inspectors on request.

Other useful Early Years Alliance publications

- Complaint Investigation Record (2012)

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