

Children's records and data protection

All information is kept in line with the Little Poppies Preschool Privacy Notice. This is shared with parents and carers when a child or young person is registered for a service. Parents/carers must give signed, informed consent to recording and sharing information prior to their child/young person attending a setting. If a parent/carer would not expect their information to be shared in any given situation, normally, they should be asked for consent prior to sharing.

Principles of data protection: lawful processing of data

Personal data shall 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 they are processed*
- d) accurate, and where necessary, kept up to date; every reasonable step must 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 are processed*
- 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")* Article 5 of the General Data Protection Regulations (2018)

Educators should process data, record and share information in line with the principles above.

During an outbreak of serious illness of disease there may be the need to keep additional records as part of outbreak management. A record is kept of individual cases of children/families who are self-isolating due to symptoms as per usual record-keeping procedures. In all cases the principles of data protection are maintained at Little Poppies Preschool.

General safeguarding recording principles

- It is vital that all relevant interactions linked to safeguarding children's and individual's welfare are accurately recorded.
- All recordings should be made as soon as possible after the event.
- Recording should 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 can potentially be viewed by a parent/carers or Ofsted inspector, by the successors of the educators who record, 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. Recording needs to be fair and accurate, non-judgemental in tone, descriptive, relevant, and should clearly show what action has been taken to safeguard a child, and reflect decision-making relating to safeguarding.
- Recording should be complete, it should show what the outcome has been, what happened to referrals, why decisions were made to share or not share information, and it should contain summaries and minutes of relevant multi-agency meetings and multi-agency communication.
- If injuries or other safeguarding concerns are being described the description must be clear and accurate and should give specific details of the injury observed and where it is located.

The principles of GDPR and effective safeguarding recording practice are upheld at Little Poppies Preschool

- 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 are made aware of what will be recorded and in what circumstances information is shared, prior to their child starting at the setting. Parents/carers are issued with our Privacy notice and should give signed, informed consent to recording and information sharing prior to their child attending the setting. If a parent/carers would not expect their information to be shared in any given situation, normally, they should be asked for consent prior to sharing.
- There are circumstances where information is shared without consent to safeguard children. These are detailed below, but in summary, information can be shared without consent if an educator is unable to gain consent, cannot reasonably be expected to gain consent, or 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. Educators are aware of information sharing processes and all families should give informed consent to the way the setting will use, store and share information.
- Recording should 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 is established between the parents/carers, and other providers. Where appropriate, comments from others (as above) are incorporated into the child's records.

Children's personal files at Little Poppies Preschool

- Learning journeys (paper records) are kept in individual plastic wallets in the Keyworker drawer. These contain their 'All About Me' forms alongside any other information of the child that the Keyworker should be aware of, My First Day, First Five Sessions, 2 year progress, summatives, school transition reports, evidence, any targets or support put in place, records of any meetings. These are kept in a locked room when not in.
- Registration and consent forms (including emergency contacts) are kept in the registration folders in the cupboard.
- Graduated Response Files, Early Years Funding Requests, Speech and Language Requests, SPOA Requests (or anything with addresses on etc) are kept in a ring binder next to the Registration folders
- Contractual matters are kept in the upstairs office.
- Correspondence in relation to a child is read, any actions noted, and filed immediately
- Access to children's personal files is restricted to those authorised to see them and make entries in them, this being the setting manager, deputy or designated person for child protection, the child's key person, or other staff as authorised by the setting manager.
- Children's personal files are not 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.