

The Hollies Childcare Facility Confidentiality Policy

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Revision History

Issue/Draft	Date	Comments/Reason for Change
Draft A	15 th March 2018	Released for initial comment
Issue 1	1 st April 2018	Comments received from Management Committee
Issue 2	22 nd May 2019	Annual review & update references to Data Protection
Issue 3	16 th April 2021	Annual Review
Issue 4	17 th September 2021	Amendment to include change to Wales Safeguarding Procedures 2020 and approval of registration
Issue 5	19 th October 2021	Amendment to include change of name of setting and Registered Charity Number
Issue 6	26 th September 2022	Annual Document Review
Issue 7	15 th September 2023	Annual Document Review
Issue 8	10 th September 2024	Annual Document Review
Issue 9	11 th September 2025	Annual Document Review

Acronyms & Abbreviations

Acronym/Abbreviation	Definition
CIW	Care Inspectorate Wales

Glossary

Term	Definition
The Hollies	Refers to The Hollies Childcare Facility

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1.0 Policy Statement

At all times, the safety and well-being of the child will be of paramount importance. Please see also the Child Protection Policy and Data Protection Policy.

Our work with children and families brings us into contact with confidential information.

We will respect confidentiality in the following ways:

- All personal information about children, families and staff are kept securely in accordance with the Data Protection Act 1998 – amended 2018.
- Parents / carers can request access to records about their own children but will not have access to information about any other children.
- All records about accidents / incidents are recorded separately and filed separately.
- Parent's permission will be sought before photographs, videos etc. are taken of the children in accordance with the media policy.
- Any anxieties/evidence relating to a child's personal safety are kept confidential and in accordance with the child protection policy and procedure – Wales Safeguarding Procedures 2020 are followed in such cases.
- Staff will not discuss individual children with others outside The Hollies unless given permission to do so from the parent/carer.
- No one at The Hollies will disclose private information, regarding employees, parents of children etc. unless they are clearly required by that organisation to operate its business. If unsure of the nature of any request then refer the matter to Mrs S Hearne who holds responsibility for data protection in The Hollies.
- Issues related to the employment of staff, whether paid or unpaid, remain confidential to the people directly involved with making personnel decisions.
- All staff, management, volunteers/students sign that they have read, accepted and implemented this policy.
- Any breach of confidentiality is investigated immediately and the issue dealt with in accordance with the disciplinary procedure.

The Hollies Childcare Facility is registered with CIW and is legally obliged to provide information to their officers on their request. Provision of this information is not regarded as a breach of The Hollies Childcare Facility confidentiality policy. Schedule 1 to the Data Protection Act lists the data protection principles in the following terms:

1. Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless –
 - (a) at least one of the conditions in Schedule 2 is met, and;
 - (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.
2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.

6. Personal data shall be processed in accordance with the rights of data subjects under this Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

<https://ico.org.uk/for-organisations/guide-to-data-protection/>

(Accessed 09.05.18)

Retention periods:

- Records kept about children who attend The Hollies are kept completely confidential and will be kept on record for 3 years after the last date on which the child attends The Hollies.
- Parents/carers are able to view the records kept on their children on request, except where a child's welfare is deemed to be at risk in line with our confidentiality policy.
- Records are also kept on each member of staff working or volunteering at the setting. These are kept confidential and will be kept on record for a minimum of 3 years after the last day of employment.
- Employees are entitled to access the information held about them at reasonable intervals. Applications should be made in writing to Mrs S Hearne.
- Minutes, accounts, invoices, receipts, assets list, accident and incident book etc. are kept safely for 7 years.
- All records that are subject to other factors/organisations such as grant terms and conditions, CIW, Health and Safety Executive, insurers, safeguarding agencies may also define how long certain records are kept.
- The Employer's Liability insurance certificate must be retained for 40 years.

Security measures

The Hollies protects personal data from unauthorised and unlawful use by:

- Storing data in a lockable cupboard/storage with restricted access.
- Ensuring all staff, management, volunteers/students sign that they have read, accepted and implemented the confidentiality policy. Any breach of confidentiality is investigated immediately and the issue dealt with in accordance with the disciplinary procedure.
- Minimising data sharing on a need to know basis.
- Restricting access to electronic records held on the computer by implementing technical security such as a password system.
- Ensuring safe storage of any laptop/computer used for storing data.
- Destroying obsolete paper records securely by shredding or using a confidential waste service which provides certificates of destruction.
- Securely and permanently erasing electronic records.
- Ensuring there is no data remaining before disposing of or recycling any computers.
- Securely and permanently erasing data stored on other media such as memory sticks, CD-ROM, audio tape, video tape, etc.

- All memory sticks in use must be encrypted.

With the availability and accessibility of many different media, The Management Committee aims to ensure that no-one attending or working at The Hollies is put at a disadvantage or feels threatened by the inappropriate use of mobile devices, internet, cameras, videos, DVDs. Many devices such as portable media players, gaming devices, mobile telephones are now equipped with internet access, GPS, cameras, video and audio recording systems.

The designated Safeguarding Officer is responsible for the implementation, monitoring and review of this policy.

Communications

- Staff should remember that they have a respected position and should act accordingly. Although work emails may be used to exchange information, settings should be aware that free, web-based email services are not considered secure for personal data and their use could put the setting at risk. Sensitive personal data about children or families using The Hollies, and industry sensitive information about finances or business practices should be communicated in the most secure manner. The use of email and text messaging for these purposes is prohibited, unless through a secure email channel.
- All ICT users are expected to write online communications in a polite, respectful and non-abusive manner.
- Confidentiality and privacy rights must be respected at all times.

Mobile Phone Use by Staff

- The Hollies does not permit staff to use their personal mobile phones during hours, except for specific work purposes, with direct permission from their line manager. Staff telephones should be safely stored away during working hours. Members of staff can be contacted on The Hollies' telephone number during opening hours. Staff can use The Hollies' mobile devices to access the internet for work purposes such as finding activity ideas.
- Any member of staff found to be using their mobile devices for personal reasons without direct permission from their line manager is subject to disciplinary action in accordance with The Hollies disciplinary procedure.
- Recording devices on mobile telephones, such as cameras and videos, must never be used to record children at The Hollies.

Mobile Phone Use by Children

- The Management Committee does not allow children to use their mobile phones in The Hollies for any purpose, i.e. conversations, messages, cameras etc. Any parent wishing to contact their child in an emergency should do so through The Hollies telephone. Children who have mobile phones at The Hollies are asked to keep them in their bags. Any child's mobile telephone used in The Hollies will be kept by staff and returned to the parent when the child is collected.

Photographs/Videos

- In the course of our work with children, we sometimes like to record our activities through photographs or videos and other media. We will use the images and video recordings for publicity, which may include reports to funders, newsletters, promotion, our website and social media (this list is not exhaustive). We will not do so without prior written permission from parents/carers. This permission is gained when the child is first registered at The Hollies, and will be updated on an annual basis. Any outside agency which wishes to take

photographs or videos of The Hollies will seek written permission from parents/carers in advance. Parents/carers or children may withdraw consent for the images to be used at any time. Please make such requests in writing to the Playgroup or Out of School Club Leader.

- Provided permissions have been granted, staff may use only the equipment belonging to The Hollies, such as cameras and mobile telephones to take images of the children. Personal photographic equipment owned by staff should never be used.
- Parents must not use any camera, video recorder or other recording device on The Hollies premises without prior permission from The Hollies Management Committee.

Internet Use

The Management Committee recognises that the Internet is part of everyday life and can be useful for learning and development for both staff and children. The Hollies staff, their line managers and volunteers, alongside parents and carers, should reinforce the messages given to children and young people about the potential risks associated with online technologies. This empowers them with the knowledge and skills to keep safe. Children and young people, where appropriate, should be encouraged to think carefully before placing images and information about themselves online, especially where doing so reveals personal information. Children are reminded not to give personal details online. Whilst the internet and social networking sites are exciting communication tools, children should be reminded that their use can pose potential risks. The Hollies will aim to source training and/or additional guidance to promote responsible and safe use of the Internet:

- The internet can be freely accessed by staff for Playgroup and HOSC matters (such as finding resources, activity ideas) during working hours.
- The Hollies does not allow staff to send or receive any personal emails in working hours without prior permission from management.
- The Hollies ensures that the appropriate Internet security measures are in place such as secure broadband or wireless access, a secure, filtered, managed internet service provider and/or learning platform, secure email accounts, regularly monitored and updated virus protection, secure password system, an agreed list of assigned authorised users with controlled access.
- Staff are responsible for ensuring their passwords remain secure, regularly updated, and that they always log out when leaving the computer unattended. A list of authorised ICT users should be maintained with access to sensitive and personal data restricted.
- Children may use the internet for playing developmental games, finding resources etc. either in groups or individually, but will always be supervised by a member of staff.
- Children are encouraged to report any inappropriate or harassing Internet or mobile messages. The Hollies anti-bullying policy includes cyberbullying.
- If a child or young person accidentally accesses inappropriate material, it must be reported to an adult immediately. Appropriate action should be taken to hide or minimise the window. All such incidents must be reported to the Senior Designated Person for Safeguarding Officer who must ensure a report of the incident is made and that any further actions deemed necessary are taken. Illegal websites should be reported to the Internet Watch Foundation: <http://www.iwf.org.uk>
- All users (children, staff, and volunteers) must report any concerns when using online technologies to the Senior Designated Person for Safeguarding Officer.

Social Networking

- The Hollies acknowledges that some social networking sites are useful for staff for work purposes e.g. activity ideas, and can be accessed using a work profile for specific work purposes as agreed with the line manager and Safeguarding Officer.
- The official Hollies email address should be used when creating a profile on a networking site rather than a personal email address. This will reduce the risk of impostor or fake

profiles, and is important in relation to any liability or risk for the individual who sets up the profile on behalf of the organisation. A designated person/s will be identified with authority to set up and manage the site. Only organisational and not personal email addresses are made available on or through a profile.

- The log-in details to the account (including the password to the account and webpage/profile) should be kept secure within the organisation. This will reduce the risk of someone hacking into online information.
- The privacy and safety settings available across all aspects of the services should be carefully considered – for photos, blog entries and image galleries - and the appropriate level of privacy set. Failing to set appropriate privacy levels could result in messages which are defamatory, libellous or obscene appearing on your profile before you have a chance to remove them.
- All messages are checked before they appear on The Hollies webpage/profile and any inappropriate messages blocked and, if necessary, reported to the service provider. This may not be possible with all social networking services. If so, contact the service provider to establish whether you can adjust the privacy and safety settings to suit your needs.
- Any communication between adults and children/young people, by whatever method, should occur within clear and explicit boundaries and for professional reasons only.
- The Hollies does not allow staff to access social networking sites, **using personal profiles**, on any device whilst in work. Any staff found to be accessing such sites, or any website not relating to work, are subject to disciplinary action.
- Staff are discouraged from forging online friendships with parents/carers or children.
- Staff also need to protect their own online reputation, particularly when using social networking sites. The use of such sites must not compromise professional integrity or bring the setting into disrepute. Any issues raised on social networking sites etc. Must be carefully considered as they are open to public viewing. No connection to The Hollies, staff, children or any incidents is to be mentioned on such sites.
- The Hollies confidentiality/privacy policy must be followed at all times.
- Any action which is seen to bring The Hollies into disrepute is investigated immediately and the issue dealt with in accordance with the disciplinary procedure.
- USB sticks may only be used if they are encrypted. The use of other storage devices is not allowed.

IT Equipment

- The Hollies does not encourage children to bring in personal IT equipment such as laptops, tablets, music players, games consoles and so on. We do not accept any responsibility for equipment that is brought in.
- Any games or software provided by The Hollies is age appropriate according to the age rating given to the game by the BBFC or PEGI or other appropriate organisation.

Television/DVD's/Films/Music/Literature

- All television/DVD's/films/music/literature used in the club is age appropriate, and the relevant license will be sought where needed.

Publicity

All publicity materials prepared or any enquiries from the press or media must be passed first to the Chairperson