**38: Documentation and Information**

Willows recognise the importance of maintaining up to date and accurate records, policies and procedures necessary to operate safely and efficiently and to promote the welfare, care and learning of children in accordance with the law.

Willows are also aware of our obligations with regard to storing and sharing information under the Data Protection Act 1998, and we are committed to complying with its regulations and guidance. This policy aims to minimise the risk of inappropriate use and distribution of personal data relating to those children, parents/carers and families that use the setting. Information on the Data Protection Act 1998 can be found at [www.ico.gov.uk](http://www.ico.gov.uk)

Willows are committed to a policy of openness with parents/carers with regard to our policies and procedures and the information that we hold on their child/children. Records and information will be made available to parents/carers on written request unless subject to an exemption. If for any reason a request is going to be refused, then this decision and an explanation will be communicated in writing.

Records are shared with the child’ parents/carers ad always made available for inspection by Ofsted. All accident, RIDDOR and child protection records are kept and archived. Willows will have its certificate of registration displayed on the premises at all times.

**Definitions**

The following definitions will be used:

**Personal Data** – General information relating to parents/carers and children that access our services. Personal data is information which relates to living individuals and by which that individual can be identified, this includes photographic images (see below).

**Sensitive Information** – Some information initially collected may include *sensitive personal data*, information that falls into this category includes:

* Ethnic Origin
* Employment Status
* Details of special health issues (including special educational needs or physical disability statement)
* Appropriate records of children’s records and achievements
* Any other information relating to the child, deemed by staff or parents/carers to be relevant and significant

**Staff & Childcare Information**

Details relating to employees are also kept on record, these include up to date records of all staff and volunteers who work at the setting, including their name, their position and an up to date DBS check. Other information (such as Personal Development Plans), accrued during their time spent working at our settings, will also be stored in accordance with this policy.

Additionally, the following records and information will be stored and maintained by each setting:

* An accurate daily staff, students and volunteers attendance register and visitors log.
* Records of activities planned and implemented, including any off-site visits and outings.
* A record of risk assessments on buildings, sessions, activities and visits, clearly stating when they were carried out, by whom, date of review and any action taken as a result.
* Inventory records of all equipment owned or used by our settings, including safety checks and repairs carried out.
* Completed Accident and Incident forms.

**Data & Image Management and Processing**

In accordance with schedule 2 of the Act, we only collect personal information for which there is a legitimate use and we do not use the information in any way that has unjustifiable adverse effects on the individuals concerned, or use the information in any way that is unlawful. We expect all our staff to be honest and open about the intended use of the information we collect and to handle the information with respect.

**Data Cleansing** – The directors, (Kym Elliston, Sara Pinch and Helen Howett) has overall responsibility for the maintenance and updating of children’s records and ensuring that these are accurate.

**Retention Period** – All required records relating to individual children are maintained and retained for three years after children last attended a setting. This does not apply to the retention of photographic material, which should be kept for no longer than 12 months.

**Record Keeping**

Ordinarily, information kept on a child will include:

* Birth name (along with any other name the child is known by)
* Date of Birth
* Gender
* School attended
* Ethnic Origin
* Religion
* Languages spoken
* Home address and telephone number
* Parents’ and carers’ names and addresses
* Parents’ or carers’ place of work and contact numbers
* Name of the parent the child normally lives with
* Any other emergency contact names and numbers
* Family doctor’s name, address and telephone number
* Health visitors name, address and telephone number (if applicable)
* Details of any special health issues (including a special educational need or physical disability statement)
* Details of any special dietary requirements, allergies, and food and drink preferences
* Record of immunisation
* Appropriate record of the child’s records and achievements
* Names of people authorised by parents/carers to collect the child
* Any other information relating to the child deemed by staff or parents/carers to be relevant and significant

**Other Records Kept**

* A record of any other individuals who regularly visit/spend time at any of the settings, including their contact details.
* Daily attendance registers, as set out in the Arrivals and Departures Policy.
* An up to date waiting list for each setting with details of all children waiting for a place.
* Records of any medication being held by staff on behalf of children, along with signed Administration of Medication Form ( in accordance with the **Accident, Illness and Emergency Policy**)
* Records of any medication administered to any child, including dates, circumstances and who administered it
* Records of signed Emergency Medical Treatment Forms, giving parental authorisation for staff to consent to emergency treatment for children (in accordance with the **Accident, Illness and Emergency Policy**)
* Additionally, a regularly updated version of the admissions list will be off the premises, but close by in case of emergency such as a fire.

All records that do not need to be held on site, or copies of documentation that must be held off site, will be kept in a secure location.

**Data & Image Security**

Information and records held on children will be kept in a secure locked location. Restricted documents must not be taken from any setting without agreement for transportation and storage. They must never be left unattended in cars or on public transport.

All paper based files containing personal and or sensitive information that have exceeded their retention period will be shredded.

Images will be printed at the earliest opportunity for planning files and children’s journals, once printed these images will be deleted from the camera memory card. Any images that are kept on file for future planning will be kept on a company password protected computer, which will be kept in a locked cabinet when not in use.

Still and moving images within the settings will only be taken by the staff and only following parental consent. Willows will not use the personal details or full name of any child in a photographic image on its website or in any other printed material without parental/carer consent, and no images of children will be released to press or media contacts without the relevant written parental/carer consent.

All written consents relating to the use of photographic images of children will be filed at the settings and at the company office.

Willows will not use the personal details or full name of any child in an image on its displays, website or in any other printed material without having gained the consent, in writing from the parent/carer of the child.

Where the images are used in mounted wall displays, either at the settings or elsewhere, reference to the written consent to display the image(s) must be clearly indicated on the reverse of the image.

**Notification of Changes**

Willows recognise its responsibility to keep children, parents/carers, staff and Ofsted informed of any changes to the running or management of any setting that will directly affect them.

Wherever possible, if changes are to be made, affected parties will be given as much warning as possible. In the case of proposed changes that are of considerable scope or importance, Willows will facilitate consultation with the affected groups or individuals.

In the following cases, it is mandatory for Willows to inform Ofsted at the earliest possible opportunity, this should be within 14 days of the change occurring.

* Any significant change to the premises.
* Change of premises address where childcare is provided.
* Change in the type of childcare provided.
* Any change of the registered person’s name, address or telephone number.
* Any change in the registered person.
* Any proposal to change the hours during which childcare is provided.
* Any changes that will affect the suitability of the registered person or anyone who cares for children on the premises.
* Any incident of food poisoning affecting two or more children in the care of one of our settings.
* Any serious accident or injury to, or death of any child receiving childcare.
* Any serious accident or injury to, or death of any person on the childcare premises.
* Any allegation of serious harm or abuse of any child committed by a member of staff (whether the offence is committed on or off site).
* Any allegation of serious harm or abuse of any child occurring on the premises and committed by any person (whether they are children, staff, parents or visitors).
* Any significant change to the operational plan of the setting.
* Any other significant events.

**Confidentiality**

The directors, managers, staff, volunteers and any other individual associated with the running or management of any setting will respect confidentiality by:

* Not discussing confidential matters about children with other parents/carers.
* Not discussing confidential matters about parents/carers with children or other parents/carers.
* Not discussing confidential information about other staff members.
* Only passing sensitive information, in written or oral form, to relevant people.

In circumstances where staff have good reason to believe a child is at risk, or is likely to be at risk of child abuse or neglect, the **Safeguarding Children Policy** will override confidentiality on a ‘need to now’ basis.

Parents/carers/staff have the right to trust that information given to the setting is given in confidence and will be used only for the purposes for which it was given and will not be released without their consent.

We recognise the right of users to have information about them held in private and secure files. Parents/carers will have access to their own files at all times.

**Staff Confidentiality:**

Personal information about the members of staff must be regarded as confidential at all times. This includes information such as:

* Staff sickness
* HIV or related illness status
* Current or previous disciplinary procedures
* Employment references
* Personal living arrangements
* Address and home telephone number
* Any other information that has been given in confidence

Staff failing to show due regard for confidentiality will be liable to disciplinary action under the provisions of the **Staff Disciplinary Procedures Policy**.

**Other legislation informing this Policy:**

* The Children Act 1989
* The Children Act 2000
* Local Government Act 2000
* Crime and Disorder Act 1998
* Freedom of Information Act 2000