



<b>CONFIDENTIALITY, DATA PROTECTION &amp; SHARING INFORMATION POLICY</b>
Approved: 24.6.2025
Effective from: 24.6.25
Revision Date: June 2026

## **Confidentiality, Data Protection and Sharing Information Policy**

### **Purpose of Policy**

The Pre School and Nursery works with children and families which sometimes bring us into contact with confidential information. We only use and share confidential information when necessary to support the wellbeing of your child.

### **Staff responsibilities regarding confidentiality**

Information given by parents/carers given to the Pre School and Nursery staff will only be shared with employees in the setting in a professional manner, and always kept confidential within the setting. If it is necessary to share the information with the committee it will be done on a need to know basis and if possible without names.

Personal information about children and families should only be discussed in a secure place and never in public.

Information given by both parents/carers and employees will only be shared with those working in the setting on a need to know basis, unless not sharing the information could lead to a child (or staff/family member) being harmed.

Issues in relation with the employment of staff, whether paid or unpaid will remain confidential to the people directly involved with making personnel decisions.

Any breach of the above may result in disciplinary action.

### **Storing information**

Steps are taken to ensure that information is stored or processed in accordance with the General Data Protection Regulation (2018). St Michael's Church Pre-School and Nursery is committed to keeping personal information about children, parents, carers and staff as secure as possible and will only share information if it relates to public interest, i.e. prevent crime or harm or if the outcome of not sharing could be worse than having shared it.

### **Our Commitment**

At St Michael's Church Pre-School and Nursery, we will only collect information that is necessary for what we do. We will be fair in the way we collect information about you. We will tell you what we intend to do with the information about you. Where practicable, we will collect information directly from you. If we collect information about you from someone else, we will make sure you know that we have done this whenever possible.



<b>CONFIDENTIALITY, DATA PROTECTION &amp; SHARING INFORMATION POLICY</b>
--

Approved: 24.6.2025
---------------------

Effective from: 24.6.25
-------------------------

Revision Date: June 2026
--------------------------

## **Who is Responsible?**

It is the responsibility of all members of staff to ensure that personal information about children, parents, carers and colleagues is not shared with individuals outside the setting. All staff have the responsibility to ensure that all personal information is kept safe and secure, and in compliance with the Data Protection Act 1998 and General Data Protection Regulation.

## **Keeping Information up to date**

We will make sure the information we store is accurate and up to date when we collect it. We will hold information about you and your child for as long as the law says. After this, we will dispose of it securely.

## **What Personal information we hold:**

- Children's details such as name, address, date of birth, room, and medical information.
- Parents/carers information such as name, address, and telephone numbers.
- Staff information such as name, address, telephone numbers, next of kin, bank details, national insurance number and qualifications.

## **Other information including without limitation to:**

- Children's developmental journal
- Child protection chronologies/records
- Accident and incident Records
- Physical restraint Records
- Administration of Medication Records
- S.E.N.D. Records
- Legal Records/ Court Orders

## **Storage of information**

We will keep information about you and your child secure. We will protect information against unauthorised change, damage, loss or theft.

Information is stored in two forms:

1. Paper: paper copies of personal information are stored in a locked cupboard or cabinet which has limited access to staff members and no access for parents/carers. Parents/carers should feel secure that the information about their children is not accessible to anyone apart from themselves and setting staff.
2. Computer: any information that is stored on computer will be held in accordance with the Data Protection Act 2018 and General Data Protection Regulation (2018). Access to information stored on computer is limited to staff members, all setting computers are password encoded and only staff members are in possession of the password. Passwords are changed at regular intervals to keep all data protected.



<b>CONFIDENTIALITY, DATA PROTECTION &amp; SHARING INFORMATION POLICY</b>
--

Approved: 24.6.2025
---------------------

Effective from: 24.6.25
-------------------------

Revision Date: June 2026
--------------------------

3. We store personal information in line with legal requirements, including SEND records and child protection records which are kept securely at the church centre.
4. We store personal information for staff that have left the Nursery for 6 Years after the employment ceases. These are kept securely at the church centre.

### **Gaining Consent**

- Our policies and procedures set out our responsibility regarding gaining consent to share information and when it may not be sought or overridden.
- Parents/carers sign a form at registration to give various consent. Parent's /carers have a right to withdraw their consent at any time and can do so in writing or using the Family app.
- Parents/carers 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.

### **Sharing Information**

St Michael's Church Pre-School and Nursery recognises that parents/carers have a right to know that the information they share will be regarded as confidential, as well as being informed about the circumstances, and reasons, when 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 individual's interest. That is when:

- It is to prevent a crime from being committed or intervene where one may have been, or to prevent harm to a child or adult.
- 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 management. The three critical criteria are:
  1. Where there is evidence that an individual is suffering, or is at risk of suffering, significant harm.
  2. Where there is reasonable cause to believe that an individual may be suffering, or at risk of suffering, significant harm.
  3. To prevent significant harm arising to an individual, including the prevention, detection and prosecution of serious crime.

### **We consider the following questions when we need to share:**

- Is there a legitimate purpose to sharing the information?
- Does the information enable the person to be identified?



<b>CONFIDENTIALITY, DATA PROTECTION &amp; SHARING INFORMATION POLICY</b>
Approved: 24.6.2025
Effective from: 24.6.25
Revision Date: June 2026

- Is the information confidential?
- If the information is confidential, do you have consent to share?
- Is there a statutory duty or court order to share information?
- If consent is refused, or there are good reasons not to seek consent, is there sufficient public interest to share information?
- If the decision is to share, are you sharing the right information in the right way?
- Have you properly recorded your decision?

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

### **Breaches to data**

Breaches in data will need to be notified to the ICO if the individual could suffer some form of damage such as identity theft, discrimination, and damage to reputation, loss of confidentiality, financial loss or any other significant social disadvantage.

### **Parental rights**

- Parents have a right to be informed of how we process data and the period we retain data.
- Parents have a right to access any data we hold on them and the right to know if we adjust this data.
- Parents have a right to know where we send their data.
- Parents have a right to object to us sharing/ storing information if it is not for legal reasons and a right to opt in.
- Parents have a right to withdraw their consent on the holding of data or remove data if it is not needed for legal reasons.

### **Raising complaint**

If you are concerned about how we hold your data please contact the management team. If you wish to complain externally, as a parent or carer you have a right to complain to the ICO (Information Commissioner's Office) if you think there is a problem with the way the Pre-School and Nursery is handling your data.



<b>CONFIDENTIALITY, DATA PROTECTION &amp; SHARING INFORMATION POLICY</b>
--

Approved: 24.6.2025
---------------------

Effective from: 24.6.25
-------------------------

Revision Date: June 2026
--------------------------

## Legal framework

- Data Protection Act 2018
- Human Rights Act 1998
- General Data Protection Regulation (GDPR)
- Freedom of Information Act (2014)

## Related policies

- Safeguarding Policy
- Whistleblowing Policy
- Complaints policy

Signed on behalf of the Pre-School and Nursery

\_\_\_\_\_Chairperson