

DELL COTTAGE
DAY NURSERY

A place to play, learn, discover & grow

Confidentiality Policy and Information Sharing

The aim of Dell Cottage Day Nursery is to promote an environment of respect with reference to confidential information relating to the children, families and staff within the setting. However, information sharing is vital to safeguarding and promoting the welfare of children and young people. A key factor identified in many serious case reviews (SCRs) has been a failure by practitioners to record information, to share it, to understand its significance and then take appropriate action.

Sharing information is an intrinsic part of any frontline practitioners' job when working with children and young people. The decisions about how much information to share, with whom and when, can have a profound impact on individuals' lives. It could ensure that an individual receives the right services at the right time and prevent a need from becoming more acute and difficult to meet

Fears about sharing information cannot be allowed to stand in the way of the need to safeguard and promote the welfare of children at risk of abuse or neglect. No practitioner should assume that someone else will pass on information which may be critical to keeping a child safe

The Directors will be reminded that: -

- Dell Cottage Day Nursery may be party to confidential information concerning the children, families, staff and the group's financial business. Any information which is received must remain confidential to them where appropriate
- Confidential issues must not be discussed with parents, or any other individual not connected with Dell Cottage Day Nursery unless needed
- The Directors must not disclose or allow the disclosure of any confidential information during or after their term the child attends unless is appropriate

Staff, volunteers and students will be reminded that:-

- A confidentiality section will be included in all staff employment contracts
- A confidentiality poster may be displayed on the notice board
- Staff, volunteers and students are given details about issues of confidentiality during their staff induction.

Information sharing must take place if it is appropriate, staff should discuss with the DSL first in this circumstance.

Parents and Carers:-

- Parents will have access to files and records of their own children at all times. Information given by Parents/ carers to the Manager will not be passed on to others without permission and in the case when it is, only to the appropriate others

When and how to share information.

When asked to share information, you should consider the following questions to help you decide if and when to share. If the decision is taken to share, you should consider how best to effectively share the information.

WHEN

Is there a clear and legitimate purpose for sharing information?

- Yes - see next question
- No - do not share

Does the information enable an individual to be identified?

- Yes - see next question
- No - you can share but should consider how

Is the information confidential?

- Yes - see next question
- No - you can share but should consider how

Do you have consent?

- Yes - you can share but should consider how
- No - see next question

Is there another reason to share information such as to fulfil a public function or to protect the vital interests of the information subject?

- Yes - you can share but should consider how
- No - do not share

HOW

- Identify how much information to share
- Distinguish fact from opinion
- Ensure that you are giving the right information to the right individual
- Ensure where possible that you are sharing the information securely
- Inform the individual that the information has been shared if they were not aware of this, as long as this would not create or increase risk of harm

The seven golden rules to sharing information

1. Remember that the Data Protection Act 1998 and human rights law are not barriers to justified information sharing, but provide a framework to ensure that personal information about living individuals is shared appropriately.
2. Be open and honest with the individual (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.
3. Seek advice from other practitioners if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
4. Share with informed 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, there is good reason to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be certain of the basis upon which you are doing so. Where you have consent, be mindful that an individual might not expect information to be shared.
5. Consider safety and well-being: Base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.
6. Necessary, proportionate, relevant, adequate, 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 individuals who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely (see principles).
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.

All information sharing decisions and reasons must be recorded in line with Dell Cottage Day Nursery's or local procedures. If at any stage you are unsure about how or when to share information, you should seek advice and ensure that the outcome of the discussion is recorded. If there are concerns that a child is suffering or likely to suffer harm, then follow the relevant procedures without delay.

CONFIDENTIALITY

Any information which is received about the children, families or staff members must remain confidential to you and the Manager.

Information received by members of staff, about the Dell Cottage Day Nursery staff, finances or Management must also remain confidential.

Confidential issues must not be discussed with parents, or any other individual not connected with Dell Cottage Day Nursery