

## 31: Documentation and Information

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

Kidz Enterprise is also aware of its obligations with regard to the storing and sharing of information under the Data Protection Act 1998, and is committed to complying with its regulations and guidance. The manager and staff are aware of the implications of the Data Protection Act 1998 in so far as it affects their roles and responsibilities within Kidz Enterprise. Information on the Act can be found at <http://www.ico.gov.uk/>.

This policy aims to minimise the risk of inappropriate use and distribution of personal data relating to those children, parents and families that use Kidz Enterprise.

Kidz Enterprise is committed to a policy of openness with parents/carers with regard to its policies and procedures and the information that Kidz Enterprise holds on their child. 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's parents/carers, and always available for inspection by OFSTED.

All accident, RIDDOR and child protection records are kept and archived.

Kidz Enterprise's certificate of registration or any notice of suspension of registration will be 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 services at Kidz Enterprise. Personal data is information which relates to living individuals and by which that individual can be identified.

Personal information, for the purpose of this policy also includes photographic images (see below).

#### Sensitive information:

Some information initially collected may include *sensitive personal data*. Information that is collected and used by Childcare Provisions that falls into this category includes:

- Ethnic origin
- Employment status
- Details of any special health issues (including special educational needs or physical disability statement)
- Appropriate records of children's progress 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, in addition to up to date records of all the staff and volunteers who work at Kidz Enterprise, including their name, their position and Disclosure and Barring Service (DBS) checks.

Other information (such as Personal Development Plans for staff), accrued during their time spent working at Kidz Enterprise, will also be stored in accordance with this policy.

Additionally, the following records and information will be stored and maintained by Kidz Enterprise:

- An accurate daily staff, students and volunteers attendance registers and visitors logs;
- Records of the activities planned and implemented, including any off-site visits and outings;
- A record of the risk assessments on buildings, sessions, activities and visits clearly stating, when they were carried out, by whom, date of review, and any action following;
- Inventory Records of all equipment owned or used by the provision including safety checks and repairs carried out;
- Completed Accident and Incident forms

## Data & Image Management & Processing

In the spirit of the Information Commissioner's Office's principle of 'Fair Processing' and under Schedule 2 of The Act, we only collect personal information for which there is a legitimate use and do not use the information in any way that has unjustifiable adverse effects upon the individuals concerned or use the data in any way that is unlawful.

We expect all of our staff to be open and honest about the intended use of the information we collect and handle the information in ways that they would reasonably expect.

### Data Cleansing:

The manager 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 the setting.

## 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(s)
- Parents' and carers' names and addresses
- Parents' or carers' place of work and contact number(s)
- Name of parent the child normally lives with
- Any other emergency contact names and numbers
- Family doctor's name, address and telephone number
- Details of any special health issues (including a special educational needs or physical disability statement)

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\* This data can be collected on a voluntary basis. The ethnicity of a child should only be recorded if parents have given ethnicity.

- Details of any special dietary requirements, allergies, and food and drink preferences
- Appropriate records of the child's progress and achievements
- Names of people authorised by parents/carers to collect the child, along with recent photographs
- 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 reside at, or regularly visit/spend time at Kidz Enterprise, including their contact details.
- The daily attendance registers, as set out in the Arrivals and Departures policy.
- An up to date waiting list with details of all children waiting for a place at Kidz Enterprise, as set out in the Documentation and Information policy.
- Records of any medication being held by staff on behalf of children, along with the signed Medication Form, in the Medication Record Book (in accordance with the Accident, Illness and Emergency policy).
- Records of any medication administered to any child, including dates, circumstances and who administered it - this includes self-administered medication.
- 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).
- An Inventory Record of all equipment owned or used by Kidz Enterprise, including safety checks and repairs carried out (in accordance with the Equipment policy).
- Additionally, a regularly updated version of the admissions list will be kept off the premises, but close by, in case of an emergency, such as a fire.

### Data & Image Security:

Information and records held on children will be kept in a secure locked location.

Restricted documents must not be taken from Kidz Enterprise without agreement for transport and storage. They must not be left unattended in cars or opened on public transport.

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

All electronic personal and/or sensitive information including still and moving images will be held on a password protected computer. When not in use, the computer must be stored in a safe or locked cabinet or cupboard. The computer must not leave Kidz Enterprise's premises. Images will be stored directly on the computer and immediately deleted from the device that captured or recorded them originally.

#### Still and Moving Images

Still and moving images (i.e. photographs and video footage) within Kidz Enterprise will only be taken by Kidz Enterprise's staff and only following written parental consent for the child/ren being photographed.

It is likely that there will be occasions during a child's time at Kidz Enterprise when staff may wish to photograph or video children as part of an observation or to record an achievement to show their parent / carer.

Kidz Enterprise will not use the personal details or full name (first name and/or surname) of any child in a photographic image on its website or in any other printed material without consent. Generally, images of children will not have an accompanying name in the text or caption; if a name is used in the text, the setting will not use an image of that individual unless specific permission has been granted. No images of children will be released to press or media contacts without the relevant written parental consent.

No photographs of children will be released to press or media contacts or used in any of Kidz Enterprise's marketing, externally or internally, without the formal consent, in writing, from the parent or carer of the child/ren being photographed.

All written consents relating to the use of photographic images of children will be filed at the setting for the life of the image or images to which it relates.

#### Photographic Displays:

Kidz Enterprise will not use the personal details or full name (first name and/or surname) of any child in an image on its display, website or in any other printed material without having gained the consent, in writing, from the parent or carer of the child(ren).

Where the images are used in mounted displays, either at the setting 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**

Kidz Enterprise recognises its responsibilities in keeping children, parents/carers, staff and Ofsted informed of any changes to the running or management of Kidz Enterprise 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, Kidz Enterprise will facilitate consultation with the affected groups or individuals.

In the following cases, it is mandatory for Kidz Enterprise to inform Ofsted at the earliest possible opportunity - within 14 days after the change occurs:

- Any significant change to the premises.
- Change of premises address where childcare is provided.
- Change in the type of childcare, for example, from after school club to childminding.
- Any change of the registered person's name, address or telephone number.
- Any change in registered person and person in day to day charge.
- 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. For example, committing an offence that would result in disqualification.
- Any incident of food poisoning affecting two or more children in the care of the childcare setting.
- 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 offsite).
- 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 Kidz Enterprise.
- Any other significant events.

## Confidentiality

Confidential information and records about children and staff will be held securely and only accessible to those who have a right or professional need to see them. Kidz Enterprise recognises the right of users to have information about them held in private and secure files. Parents/carers/children will have access to their own files at all times

The manager, staff, volunteers and any other individual associated with the running or management of Kidz Enterprise 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 that 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 know' basis.

Parents/carers/carers/staff have the right to trust that information given to Kidz Enterprise 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.

### Staff confidentiality:

Personal information about 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 such as family life and sexuality
- 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 & Grievance 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

Updated By: **Derek Beesley (Director of Childcare)**    Date: **6<sup>th</sup> March 2016**

Signature: *D. Beesley*