

Sacred Heart Pre-school

Heys Street
Thornton-Cleveleys
FY54HL

Tel: 07835711921
EY 318019

**(34) Records (EYFS – 3.69-3.73)**

**Policy statement**

We keep records and documentation for the purpose of maintaining our business. These include:

* Records pertaining to our registration.
* Landlord/lease documents and other contractual documentation pertaining to amenities, services and goods.
* Financial records pertaining to income and expenditure.
* Risk assessments.
* Employment records of staff including their name, home address and telephone number.
* Names, addresses and telephone numbers of anyone else who is regularly in unsupervised contact with the children.

We have record keeping systems in place that meet legal requirements; the means we will use to store and share that information takes place within the framework of the Data Protection Act (1998) and the Human Rights Act (1998).

**Procedures**

Provider records

* All records are the responsibility of the management team who ensure they are kept securely.
* All records are kept in an orderly way in files and filing is kept up-to-date.
* Financial records are kept up-to-date for audit purposes.
* Health and safety records are maintained; these include risk assessments, details of checks or inspections and guidance etc.
* Our Ofsted registration certificate is displayed.
* Our Public Liability insurance certificate is displayed.
* All our employment and staff records are kept securely and confidentially.

We notify Ofsted of any change:

* in the address of the premises;
* to the premises which may affect the space available to us or the quality of childcare we provide;
* to the name and address of the provider, or the provider’s contact information;
* to the person managing the provision;
* any significant event which is likely to affect our suitability to look after children; or
* any other event as detailed in the Statutory Framework for the Early Years Foundation Stage (DfE 2012).

Children’s records

If a child attends another setting, we establish a regular two-way flow of appropriate information with parents and other providers. Where appropriate, we will incorporate comments from other providers, as well as parents and/or carers into the child’s records.

We keep two kinds of records on children attending our setting:

*Developmental records*

* These include observations of children in the setting, photographs, video clips and summary developmental reports.
* These are usually kept on the key persons shelf in preschool or temporarily on the key person’s iPad and can be accessed, and contributed to, by our staff, the child and the child’s parents.
* Child’s development, health and well-being – including a summary only of the child’s EYFS profile report, a record of discussions about everyday matters about the child’s development health and well-being with the parent.
* Correspondence and Reports – including a copy of the child’s 2 Year Old Progress Check (as applicable), all letters and emails to and from other agencies.

Personal records

These may include the following

* Personal details – including the child’s registration form and any consent forms.
* Contractual matters – including a copy of the signed parent contract, the child’s days and times of attendance, a record of the child’s fees, any fee reminders or records of disputes about fees.
* Early Support – including any additional focussed intervention provided by [our/my] setting (e.g. support for behaviour, language or development that needs an SEN action plan) and records of any meetings held.
* Welfare and child protection concerns – including records of all welfare and protection concerns, and [our/my] resulting action, meetings and telephone conversations about the child, an Education, Health and Care Plan and any information regarding a Looked After Child.
* Correspondence and Reports – all letters and emails to and from other agencies and any confidential reports from other agencies.
* These confidential records are stored in a lockable file cabinet, which is always locked when not in use, but they are in the process of being digitised and will be stored securely on the cloud.
* We read any correspondence in relation to a child, note any actions and file it immediately
* We ensure that access to children’s files is restricted to those authorised to see them and make entries in them, this being our manager, deputy or designated person for child protection, the child’s key person, or other staff as authorised by our manager.
* We may be required to hand children’s personal files to Ofsted as part of an inspection or investigation process; or to local authority staff. We ensure that children’s personal files are not handed over to anyone else to look at.
* Parents have access to the files and records of their own children, but do not have access to information about any other child.
* Our staff will not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs. Our staff induction programme includes an awareness of the importance of confidentiality in the role of the key person.
* We retain children’s records for three years after they have left the setting; except records that relate to an accident or child protection matter, which are kept until a child reaches the age of 21 years or 24 years respectively. These are kept in a secure place.

## *Archiving children’s files*

* When a child leaves our setting, we remove all paper documents from the child’s personal file and place them in a robust envelope, with the child’s name and date of birth on the front and the date they left.
* We seal this and place it in an archive box, stored in a safe place (i.e. a locked cabinet) for three years. After three years it is destroyed.
* Where there were child protection investigations. We mark the envelope with a star and archive it for 25 years.
* We store financial information according to our finance procedures.

## *Other records*

* We keep a daily record of the names of the children we are caring for, their hours of attendance and the names of their key person.
* Students when they are observing in the setting, are advised of our Confidentiality and Client Access to Records Policy and are required to respect it.

*Transfer of records*

*Transfer of development records for a child moving to another early years setting or school*

* Using the Development Matters in the Early Years Foundation Stage guidance and our assessment of children's development and learning, the key person will prepare a summary of achievements in the seven areas of learning and development.
* The record refers to:
	+ any additional language spoken by the child and his or her progress in both languages;
	+ any additional needs that have been identified or addressed by the setting;
	+ any special needs or disability, whether a CAF was raised in respect of special needs or disability, whether there is a Statement of Special Educational Needs, and the name of the lead professional.
* The record contains a summary by the key person and a summary of the parent’s view of the child.
* The document may be accompanied by other evidence, such as photos or drawings that the child has made.
* When a child transfers to a school, most local authorities provide an assessment summary format or a transition record, which we will follow as applicable.
* If there have been any welfare or protection concerns, a star is placed on the front of the assessment record.

*Transfer of confidential information*

* The receiving school or setting will need to have a record of any safeguarding or child protection concerns that were raised in the setting and what was done about them.
* A summary of the concerns will be made to send to the receiving setting or school, along with the date of the last professional meeting or case conference. Some Local Safeguarding Children Boards will stipulate the forms to be used and provide these.
* Where a CAF has been raised in respect of any welfare concerns, the name and contact details of the lead professional will be passed on to the receiving setting or school.
* Where there has been a s47 investigation regarding a child protection concern, the name and contact details of the child’s social worker will be passed on to the receiving setting or school – regardless of the outcome of the investigation.
* This information is posted or taken to the school or setting, addressed to the setting or school’s designated person for child protection and marked as 'confidential’.

*Confidentiality and client access to records*

**Confidentiality procedures**

* Most things that happen between the family, the child and the setting are confidential to our setting. In exceptional circumstances information is shared, for example with other professionals or possibly social care or the police.
* Information shared with other agencies is done in line with our Information Sharing Policy.
* We always check whether parents regard the information they share with us to be confidential or not.
* Some parents may share information about themselves with other parents as well as with our staff; we cannot be held responsible if information is shared by those parents whom the person has ‘confided’ in.
* Information shared between parents in a discussion or training group is usually bound by a shared agreement that the information is confidential to the group and not discussed outside of it. We not responsible should that confidentiality be breached by participants.
* We inform parents when we need to record confidential information beyond the general personal information we keep (see our Children's Records Policy) - for example with regard to any injuries, concerns or changes in relation to the child or the family, any discussions with parents on sensitive matters, any records we are obliged to keep regarding action taken in respect of child protection and any contact and correspondence with external agencies in relation to their child.
* We keep all records securely.
* Our staff discuss children’s general progress and well being together in meetings, but more sensitive information is restricted to our manager and the child’s key person, and is shared with other staff on a need to know basis.
* We do not discuss children with staff who are not involved in the child’s care, nor with other parents or anyone else outside of the setting.
* Our discussions with other professionals take place within a professional framework and not on an informal or ad-hoc basis.
* Where third parties share information about an individual our practitioners and manager, check if it is confidential, both in terms of the party sharing the information and of the person whom the information concerns.

## Client access to records procedures

Parents may request access to any confidential records we hold on their child and family following the procedure below:

* The parent is the ‘subject’ of the file in the case where a child is too young to give ‘informed consent’ and has a right to see information that our setting has compiled on them.
* Any request to see the child’s personal file by a parent or person with parental responsibility must be made in writing to manager.
* We acknowledge the request in writing, informing the parent that an arrangement will be made for him/her to see the file contents, subject to third party consent.
* Our written acknowledgement allows 40 working days for the file to be made ready.
* Our manager may seek legal advice before sharing a file.
* Our manager goes through the file with other practitioners to ensure that all documents have been filed correctly, that entries are in date order and that there are no missing pages. They note any information, entry or correspondence or other document which mentions a third party.
* We write to each of those individuals explaining that the subject has requested sight of the file, which contains a reference to them, stating what this is.
* They are asked to reply in writing to our manager giving or refusing consent for disclosure of that material.
* We keep copies of these letters and their replies on the child’s file.
* ‘Third parties’ include each family member noted on the file; so where there are separate entries pertaining to each parent, step parent, grandparent etc, we write to each of them to request third party consent.
* Third parties also include workers from any other agency, including children's social care and the health authority for example. Agencies will normally refuse consent to share information, preferring instead for the parent to be redirected to those agencies for a request to see their file held by that agency.
* Members of our staff should also be written to, but we reserve the right under the legislation to override a refusal for consent or to just delete the name of the staff member and not the information. We may grant refusal if the member of staff has provided information that could be considered ‘sensitive’ and the staff member may be in danger if that information is disclosed; or if that information is the basis of a police investigation. However, if the information is not sensitive, then it is not in our interest to withhold that information from a parent. In each case this should be discussed with members of staff and decisions recorded.
* When we have received all the consents/refusals our manager takes a photocopy of the complete file. On the copy of the file, our manager removes any information that a third party has refused consent for us to disclose and blank out any references to the third party, and any information they have added to the file, using a thick marker pen.
* The copy file is then checked by manager and legal advisors to verify that the file has been prepared appropriately.
* What remains is the information recorded by the setting, detailing the work initiated and followed by them in relation to confidential matters. This is called the ‘clean copy’.
* We photocopy the ‘clean copy’ again and collate it for the parent to see.
* Our manager informs the parent that the file is now ready and invite him/ her to make an appointment to view it.
* Our manager and practitioner meet with the parent to go through the file, explaining the process as well as what the content of the file records about the child and the work that has been done. Only the person(s) with parental responsibility can attend that meeting, or the parent’s legal representative or interpreter.
* The parent may take a copy of the prepared file away; but, to ensure it is properly explained to and understood by the parent, we never hand it over without discussion.
* It is an offence to remove material that is controversial or to rewrite records to make them more acceptable. Our recording procedures and guidelines ensure that the material reflects an accurate and non-judgemental account of the work we have done with the family.
* If a parent feels aggrieved about any entry in the file, or the resulting outcome, then we refer the parent to our complaints procedure.
* The law requires that the information we hold must be accurate. If a parent says that the information we hold is inaccurate, then the parent has a right to request for it to be changed. However, this only pertains to factual inaccuracies. Where the disputed entry is a matter of opinion, professional judgement, or represents a different view of the matter than that held by the parent, we retain the right not to change that entry, but we can record the parent’s view of the matter. In most cases, we would have given a parent the opportunity at the time to state their side of the matter, and it would have been recorded there and then.
* If there are any controversial aspects of the content of a child’s file, we must seek legal advice. This might be where there is a court case between parents, where social care or the police may be considering legal action, or where a case has already completed and an appeal process is underway.
* We never ‘under-record’ for fear of the parent seeing, nor do we make ‘personal notes’ elsewhere.

Telephone advice regarding general queries may be made to The Information Commissioner’s Office Helpline 0303 123 1113.

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

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**Policy adopted/implemented by SACRED HEART PRE-SCHOOL in:**

August 2023

**Date to be reviewed:**

August 2024

**Signed on behalf of management team:**

Chelsea Porter (Deputy) – 24/8/23