



Children's records

Policy statement

We have record keeping systems in place that meet legal requirements; the means we use to store and share that information takes place within the framework of the General Data Protection Regulations (GDPR) (2018) and the Human Rights Act (1998).

This policy and procedure should be read alongside our Privacy Notice, Confidentiality and Client Access to Records Policy and our Information Sharing Policy.

Procedures

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 samples of their work and summary developmental reports.

These are usually kept in the classroom and can be accessed, and contributed to, by our staff, the child and the child's parents/carers.

Personal records

These may include the following (as applicable):

- Personal details – including the child's registration form and any consent forms.
- Contractual matters – relating to the child's days and times of attendance, absence, a record of the child's fees, any fee reminders or records of disputes about fees.
- Child's development, health and well-being – including a summary only of the child's EYFS profile report, a record of discussions during the home visit and about every day matters about the child's development health and well-being with the parent/carer.
- Early Support – including any additional focussed intervention provided by our 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 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 – including a copy of the child's 3 Year Old Progress Check (as applicable), 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 or cabinet, which is always locked when not in use and which our manager keeps secure in an office or other suitably safe place.
- 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 conducting a S11* audit, as long as authorisation is seen. We ensure that children's personal files are not handed over to anyone else to look at.
- Parents have access, in accordance with our Privacy Notice, Confidentiality and Client Access to Records Policy, 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/carers 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 collate all paper documents place them in a robust document wallet labelled with the date / academic year the child 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.
- If data is kept electronically it is encrypted and stored as above.
- Where there were s.47** 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.

Data retention

- All archived data is stored in accordance with our data retention policy.

Legal framework

- General Data Protection Regulations (GDPR) (2018)
- Human Rights Act (1998)

Further guidance



- Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (2015)

**Section 11. Section 11 of the 2004 Children Act sets out the provision for Local Children Safeguarding Boards to undertake a self-assessment audit of how organisations and services are meeting standards to safeguard children and young people.*

***Under Section 47 of the Children Act 1989, if a child is taken into Police Protection, is the subject of an Emergency Protection Order or there are reasonable grounds to suspect that a child is suffering or is likely to suffer Significant Harm, a Section 47 Enquiry is initiated. This is to enable the local authority to decide whether they need to take any further action to safeguard and promote the child's welfare*

Transfer of records to school

- 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.
- We prepare children for these transitions and involve parents and the receiving setting or school in this process. We prepare records about a child's development and learning in the Early Years Foundation Stage in our setting; in order to enable smooth transitions, we share appropriate information with the receiving setting or school at transfer.
- Confidential records are shared where there have been child protection concerns according to the process required by our Local Safeguarding Children Board.

The procedure guides this process and determines what information we can and cannot share with a receiving school or setting. Prior to transferring information, we will establish the lawful basis for doing so (see our Privacy Notice).

Procedures

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

- Using the Early Years Outcomes (DfE 2013) 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. We also prepare a summary of each child's skills in the characteristics of effective learning.
- 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 our setting;
 - any special needs or disability, whether a SEND Support Plan was raised in respect of special needs or disability, whether there is an Education, Health and Care Plan, 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.
- If there have been any safeguarding, welfare or child protection concerns, we place a star on the front of the assessment record.
- We will share any current or previous EHA's

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 our setting and what was done about them.
- We will make a summary of the concerns 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 for us to use.
- Where an EHA has been raised in respect of any welfare concerns, we will pass the name and contact details of the lead professional on to the receiving setting or school.
- Where there has been an investigation regarding a child protection concern, we will pass the name and contact details of the child's social worker on to the receiving setting or school – regardless of the outcome of the investigation.
- We post or take the information to the school or setting, ensuring it is addressed to the setting or school's designated person for child protection and marked as 'confidential'.
- We do not pass any other documentation from the child's personal file to the receiving setting or school.

Legal framework

- General Data Protection Regulations (GDPR) (2018)
- Freedom of Information Act (2000)
- Human Rights Act (1998)
- Children Act (1989)

Further guidance

- What to do if you're worried a child is being abused: Advice for practitioners (HM Government 2015)
- Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (HM Government 2015)

This policy was adopted by	Silsoe Pre-School
Date	January 2022
Review date	January 2023

