

SAFEGUARDING & WELFARE REQUIREMENT: INFORMATION & RECORDS

10.4 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 (10.7) and Information Sharing Policy (10.8).

Procedures

We keep two kinds of records on children attending our setting; developmental records and personal 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.

During an outbreak of serious illness of disease (such as Covid-19) there may be the need to keep additional records as part of outbreak management. A record is kept of individual cases of children/families who are self-isolating due to symptoms as per usual record-keeping procedures. In all cases the principles of data protection are maintained.

Principles of data protection: lawful processing of data

Personal data shall be:

- a) *processed lawfully, fairly and in a transparent manner in relation to the data subject*
- b) *collected for specified, explicit and legitimate purposes and not further processed in a manner that is not compatible for these purposes*
- c) *adequate, relevant and necessary in relation to the purposes for which they are processed*
- d) *accurate, and where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purpose for which they are processed, are erased or rectified without delay*
- e) *kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed*

f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures (“integrity and confidentiality”) Article 5 of the General Data Protection Regulations (2018)

Educators should process data, record and share information in line with the principles above.

Developmental records

- These include observations of children in the setting, photographs, video clips and samples of their work and summary developmental reports.
- We use the online Tapestry learning journal system for each child and this is contributed to by staff, the child and the child’s parents. We only keep these records for the time each child attends the pre-school, then a hard copy is sent home with parents and the child is then removed from the Tapestry system.

Personal records

These may include the following (as applicable):

- 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.
- Child’s development, health and well-being – including a summary only of the child’s EYFS profile report, a record of discussions about every day matters about the child’s development health and well-being with the parent.
- Early Support – including any additional focussed intervention provided by our setting (e.g. support for behaviour, language or development that needs a 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. These records are reviewed termly and marked as open or closed accordingly. We ensure, when making these records, that there is no amending (by scribbling or crossing out information) and if there is a simple error, then this be crossed out with a single line and initialled. If, when the child moves to another setting or school, their record of concern remains open, this should be passed to the designated safeguarding officer in the new setting.
- 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 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 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.
- 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 40 years from date of birth.
- Records detailing allegations of a child protection nature against a member of staff (including if the allegation is unfounded) are kept for 10 years from the date of the allegation.
- All records relating to safeguarding advice and guidance by the LSCB are kept for 5 years.
- Safeguarding and welfare records of concern are kept for 25 years from the child's date of birth, or in case of looked after children, the records are kept for 75 years from the child's date of birth.
- 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 on Pre-school Learning Alliance or other recognised qualifications and training, when they are observing in the setting, are advised of our Confidentiality and Client Access to Records Policy and are required to respect it.

Legal framework

General Data Protection Regulation 2018

Freedom of Information Act 2000

Human Rights Act 1998

Statutory Framework for the Early Years Foundation Stage (DfE 2021)

Data Protection Act 2018

Further guidance

[Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers](#) (HMG 2018)

This policy was adopted at a meeting held by St John's Playtime Pre-school committee on 17th June 2009.

This policy was reviewed & updated on: May 2024

This policy will be reviewed again on: May 2025

Signed on behalf of the Management committee and provider:

Name of Signatory: Julia Rael



Role of Signatory: Committee Chairperson