



**London Borough of Waltham Forest**

**General Data Protection  
Regulations (GDPR) and  
Confidentiality Procedure**

**Early Years, Childcare & Business Development Service**

LBWF Early Years, Childcare & Business Development Service have written this document to help you write a confidentiality policy for your setting. This document is for reference only and you must adapt it to reflect the service your setting offers. To download guidance on other policies and procedures go to <https://thehub.walthamforest.gov.uk/>

Whenever we say parents in this document we mean parents and carers and whenever we say child we mean children and young people aged 0 to 19 years old (up to 25 years old for young people with Special Educational Needs and Disabilities (SEND)).

### **Aim**

Do you share information with parents and children? Do you make sure that parents and children can share information with you and can be confident that information shared will only be used for the benefit of their child? Do you make sure that any information you share is done so whilst respecting the privacy of children and their parents?

### **Points to consider**

- Introduction and scope of policy
- Definitions
- Roles and responsibility
- Personal Data Protection Principles
- Sharing personal data
- Subject access requests and other rights of individuals
- Biometric recognition systems (where applicable)
- CCTV (where applicable)
- Photographs and videos (where applicable)
- Record Keeping
- Accountability, Data protection by design
- Data security and storage of records
- Disposal of records
- Personal data breaches
- Training
- Review and Monitoring arrangements
- Providers must ensure that there is an area where staff may talk to parents and/or carers confidentially (Statutory Framework for the EYFS 3.61).
- Records must be easily accessible and available (with prior agreement from Ofsted, these may be kept securely off the premises). Confidential information and records about staff and children must be held securely and only accessible and available to those who have a right or professional need to see them. Providers must be aware of their responsibilities under the Data Protection ACT (DPA) 1998 and where relevant the Freedom of Information Act 2000 (Statutory Framework for the EYFS 3.69).
- How and where is information stored?

- Who has access to personal records?
- How long is information retained for?
- What type of records do you need to keep at your setting? Think about personal records for children and their families, staff records and so on.
- What will you include in the child's records? Think about observations, samples of work and achievements, Individual Support Plans (ISPs) and so on.
- Where will you store the children's development records and who will have access to them? Remember confidentiality.
- What information do you need to store in the personal records for the child and their family? Who can access these and how?

**Children's Act Regulations** – You must keep records of the name, address and date of birth of each child and the name, address and contact number of a parent. Consider who should have access to this information.

- Do you make staff aware that when they are discussing a child, confidentiality should take priority? Think particularly about when you are talking with parents or other staff in the setting.
- Where do you store staff personal details and employment issues? Consider that contracts and conditions of employment should remain confidential. Think about who should have access to this information, for example, line managers.

### **Useful resources and websites**

Events & Training page on the hub for all Workshops on data protection

<https://thehub.walthamforest.gov.uk/training-events>

LBWF Early Years & Childcare Privacy Notice Template

Model Data Protection Policy template, and other policies templates available from WF Traded Services

Data Protection Act and Freedom of Information Act. Available to download from <http://www.legislation.gov.uk/>

Information Sharing: Guidance for practitioners and managers ref DCSF-00807-2008 is available to download from Department for Education

<https://www.gov.uk/government/organisations/department-for-education>