

*Winchelsea*



*All Individuals Matter*

**WINCHELSEA PRIMARY SCHOOL**  
**RUSKINGTON**

**DATA PROTECTION POLICY**

## **Part 1: Introduction**

The work of Winchelsea Primary School with children and families will bring us into contact with confidential information and this information will only be used and shared to enhance the welfare of individual children. Winchelsea Primary School will ensure all staff, volunteers and students are aware of and understand the confidentiality policy and will be made aware that any breach of confidentiality may lead to disciplinary action.

All schools are asked on occasions to keep information confidential. This can relate to a variety of issues including under age sexual activity, drugs use, abuse or other dangerous or illegal activities. It is important that the whole school follows the same clear and explicit policy. Pupils, parents and carers should be made aware of this and how it works in practice.

## **Part 2: Record keeping**

### **2.1 Personal and Development**

It is a requirement that records are kept as follows:

- Personal records – each child will have an individual file, in which will be kept registration and admissions forms, consent forms, information and observations by staff on any confidential matter involving the child such as developmental concerns or child protection matters, reports or minutes from meetings concerning the child from other agencies working with the child/family.
- Developmental records – these include observations, assessment developmental records, and samples of the child's work. Development records will be stored appropriately to ensure confidentiality and can be accessed at any time and contributed to by staff and the child.

### **2.2 Information Sharing**

Other professionals are bound by their professional codes of conduct to maintain confidentiality when working on a one-to-one situation. When working in a classroom, they are bound by relevant school policies. In line with best practice guidance, like other school staff, they will seek to protect privacy and prevent inappropriate personal disclosures in a classroom setting.

To ensure that parents, professionals and carers can share information with confidence, we will respect confidentiality in the following ways:

- Parents will have access to the records of their own children but will not have access to information about any other child.
- Personal records will be stored in a lockable filing cabinet within the provision and will be accessed only by staff members through the manager/supervisor.
- The school will not discuss confidential information about children and parents/carers with other parents/carers.

- Information given will be shared on a need to know basis with the child's key worker and with other professionals, with the consent of the parent or carer in cases of child protection issues.

## **2.3 Other Records**

### Staff records

Each team member, paid or unpaid will have a personnel file containing personal information, recruitment information, training records, qualification, staff appraisal records, induction record and evidence of DBS clearance. This file can be accessed, by the individual to whom the file relates, at any time.

Issues relating to the employment of staff, whether paid or unpaid, will remain confidential to the people directly involved with making personnel decisions.

### Student records

There will be a file for each student containing personal information, contact numbers, details of course, tutor and induction. This file can be accessed, by the individual to whom the file relates, at any time.

### Medication and Emergency treatment records

Individual records relating to each child/staff member will be set up as and when required.

All records relating to the children and individuals who have worked within the setting whether paid or unpaid will be archived for a period of time in line with regulations and guidance from Ofsted.

## **Part 3: Access to personal information**

Parents may request access to records held on their child by following this procedure:-

- Any request to see the child's personal file by a parent or person with parental responsibility must be made to the manager/supervisor in writing.
- The manager/supervisor will reply with a written acknowledgement.
- Any third parties will be contacted in writing stating that a request for disclosure has been received and asking for their permission to disclose to the person making the request. Copies of these letters are retained for the file.
- Third parties, include family members, who may be referred to in the records, as well as workers from other agency such as social services, can refuse consent to disclose, preferring the individual to go directly to them.
- When all consent/refusals to disclose have been received these are attached to the copy of the request letter.
- A copy of the file is taken.
- Where a third party has refused disclosure of information, these references will be edited and as much information supplied as is possible.
- The information will be supplied either in hard format or on screen.

#### **Part 4: Personal disclosures**

Disclosures from pupils may take place at an inappropriate place or time. If this happens, the member of staff should talk again individually to the pupil before the end of the school day. The member of staff may be able to discuss the issue with an appropriate colleague, to decide on suitable action, without giving the name of the pupil.

- Pupils should be reassured that their best interests will be maintained.
- Pupils should know that staff cannot offer unconditional confidentiality.
- Pupils should be reassured that, if confidentiality has to be broken, they will be informed first and then supported appropriately.
- Pupils should be informed of sources of confidential help, for example, the school nurse, counsellor, GP or local young person's advice service.
- Any personal information should be regarded as private and not passed on indiscriminately.
- If a member of staff receives information that leads them to believe that there is a child protection issue, they should refer the case to a designated teacher or child protection officer following discussion with the young person involved.
- Pupils should be encouraged to talk to their parents or carers and be given support to do so wherever possible.
- Government guidance requires professionals to consult as much as possible with parents about their children when referring to another agency. In general, parents should be asked if they wish to be referred, **UNLESS THERE IS REASON TO THINK THAT OBTAINING SUCH CONSENT MAY PUT THE YOUNG PERSON AT RISK**. If your referral is about child abuse (or risk of it) rather than "children in need", it is good practice to consult Social Services **BEFORE** discussing the issue with parents, unless a parent has asked you to make the referral and is already aware of it.

#### **Part 5: Data protection**

Winchelsea Primary School is required to keep and maintain records to comply with Ofsted registration and/or requirements of the Children Act 1989 and is aware of the requirements of the Data Protection Act 1998 and comply with the principles which state that personal data must be:

- Obtained and processed fairly and lawfully.
- Held for lawful purpose.
- Used only for the purpose stated.
- Accurate and up to date.
- Held no longer than the required time.
- Accessible to the individual concerned, or individuals with parental responsibility.
- Surrounded by proper security.
- Disclosed only using the access to information procedure.

We have checked the requirements of the Data Protection Act 1998 and are registered. For useful information and data protection registration go to [www.ico.gov.uk](http://www.ico.gov.uk).

## **Part 6: Further guidance**

For all children, staff members and governors to enjoy privacy from gossip, for the school to be fair to all its community and for children and adults to have disciplinary matters dealt with according to the school's own procedures and out of the eye of the wider community, it is important that:-

- Staff do not discuss details of individual cases arising in staff meetings to any person without direct professional connection to and interest in the welfare and education of the individual concerned.
- No member of staff discusses an individual child's behaviour in the presence of another child in school.
- Staff do not enter into detailed discussion about a child's behaviour with other children or their parents.
- Governors, in particular those sitting on Discipline Committees, do not divulge details about individuals (be they staff, families or individual children) to any person outside of the meeting.
- Parents in school, working as volunteers, or as part of FOWS, do not report cases of poor behaviour or pupil discipline to other parents in the school. This allows teachers to deal with such matters in line with school policy.
- At full Governing body meetings matters such as pupil exclusion, personnel issues and personal details of any member of the school community will be dealt with in the Head Teacher's Report. This is not for the knowledge of persons outside the Governing body meeting. Minutes are minuted separately and minutes are not published.
- Staff performance management will be carried out privately. Targets for individuals, named lesson observation sheets and other performance data will be in the Head Teacher's office and electronic records will only be available from the Head Teacher's computer.
- Matters of Child Protection are made known to staff on a need to know basis.
- It is important that class teachers and support staff are aware of some confidential matters in order to support individuals. These staff will respect the sensitivity of such cases and not divulge information to people unconnected professionally with the individual concerned.
- When volunteers, such as parents and FOWS are working in classes, they do not discuss educational matters outside the classroom. For example, the specific use of teaching assistant time for particular pupils or groups of pupils, teaching assistants have different roles within a class, including the support of children with special educational needs, the provision and work with these children is for the teacher to discuss with the relevant parents or carers.
- Volunteers, students and supply teachers are asked to read this policy before working in school.

Signed: \_\_\_\_\_  
Chair of Governors

Dated: \_\_\_\_\_