



7. Record Keeping Procedures

7.1 Children's Records and Data Protection (including Privacy Notice)

Principles of data protection: lawful processing of data

Personal data shall be:

- processed lawfully, fairly and in a transparent manner in relation to the data subject
- collected for specified, explicit and legitimate purposes and not further processed in a manner that is not compatible for these purposes
- adequate, relevant and necessary in relation to the purposes for which they are processed
- 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
- 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
- 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)

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

General safeguarding recording principles

- It is vital that all relevant interactions linked to safeguarding children's and individual's welfare are accurately recorded.
- All recordings should be made as soon as possible after the event.
- Recording should be to a good standard and clear enough to enable someone other than the person who wrote it, to fully understand what is being described.
- Recording can potentially be viewed by a parent/carer or Ofsted inspector, by the successors of the practitioners who record, and may be used in a family Court as relevant evidence to decide whether a child should remain with their biological

parents or be removed to live somewhere else. Recording needs to be fair and accurate, non-judgemental in tone, descriptive, relevant, and should clearly show what action has been taken to safeguard a child and reflect decision-making relating to safeguarding.

- Recording should be complete; it should show what the outcome has been, what happened to referrals, why decisions were made to share or not share information, and it should contain summaries and minutes of relevant multi-agency meetings and multi-agency communication.
- If injuries or other safeguarding concerns are being described the description must be clear and accurate and should give specific details of the injury observed and where it is located.
- The principles of GDPR and effective safeguarding recording practice are upheld
- Recording is factual and non-judgemental.
- The procedure for retaining and archiving personal data and the retention schedule and subsequent destruction of data is adhered to.
- Parents/carers and children where appropriate are made aware of what will be recorded and in what circumstances information is shared, prior to their child starting at the setting. Parents/carers are issued with a Privacy Notice and should give signed, informed consent to recording and information sharing prior to their child attending the setting. Staff are required to agree to our Privacy Notice upon starting their employment.
- There are circumstances where information is shared without consent to safeguard children. These are detailed below, but in summary, information can be shared without consent if a practitioner is unable to gain consent, cannot reasonably be expected to gain consent, or gaining consent places a child at risk.
- Records can be accessed by, and information may be shared with local authority professionals. If there are significant safeguarding or welfare concerns, information may also be shared with a family proceedings Court or the police. Practitioners are aware of information sharing processes and all families should give informed consent to the way the setting will use, store and share information
- Recording should be completed as soon as possible and within 5 working days as a maximum for safeguarding recording timescales.
- If a child attends more than one setting, a two-way flow of information is established between the parents/carers, and other providers. Where appropriate, comments from others (as above) are incorporated into the child's records.

Children's personal files

- Personal files include -
 - Contractual matters – including a copy of the signed terms and conditions, the child's requested attendance pattern and contact details
 - Consent forms
 - Information taken from identification documents provided (e.g. reference number)
 - Child's development, health and well-being; 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 the setting (e.g. support for behaviour, language) and records of any meetings held. If a support plans is undertaken the child’s SEN information will be transferred into a named SEN folder.
- 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 all letters and emails to and from other agencies and any confidential reports from other agencies
- Children’s personal files are kept in filing cabinets, which are always locked when not in use.
- Correspondence in relation to a child is read, any actions noted, and filed immediately
- Access to children’s personal files is restricted to those authorised to see them and make entries in them, this being the setting manager, assistant manager, DSL or SENCo and the child’s key person as authorised by the manager.
- Children’s personal files are not handed over to anyone else to look at.
- Children’s files may be handed to Ofsted as part of an inspection or investigation; they may also be handed to local authority staff conducting a S11 (safeguarding) audit.
- We retain children’s records for four years after they have left the setting; except records that relate to a reported accident or incident which are kept until a child reaches the age of 21 years or 25 years respectively. These are kept in a secure place. All special educational needs and/or child protection documents are given to the setting the child is moving onto and are kept by them until the child transitions again or reaches statutory school leaving age. The last school/setting should keep the child protection file until the child’s 25th birthday. If the child protection file relates to siblings still attending pre-school both the pre-school and transitioning school will retain the file by way of making a copy of the information. A signed handover sheet is completed by the originating setting and receiving setting which records the information shared (Information and Records Management Society (IRMS), 2019) and Department for Education (DfE), 2022)
- Records will contain personal and confidential information and so must be destroyed securely after they have reached the end of their retention period. Electronic copies must be securely deleted, and hard copies disposed of by way of shredding.