



## Privacy Policy

### Purpose of the policy

At Wildwood Nature School, staff can be said to have a 'confidential relationship' with families. It is our intention to respect the privacy of children and their parents and carers, while ensuring that they access high quality care and education. We aim to ensure that all parents and carers can share their information in the confidence that it will only be used to enhance the welfare of their children. We have record keeping systems in place that meet legal requirements; the means that we use to store and share that information takes place within the framework The General Data Protection Regulation (GDPR) and Data Protection Act (2018) and the Human Rights Act (1998).

It is important to note that the GDPR and Data Protection Act 2018 do not prevent, or limit, the sharing of information for the purposes of keeping children and young people safe.

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#### 1. Confidentiality procedures

- Most things that happen between the family, the child and Wildwood Nature School are confidential to our school.
- Occasionally it may be necessary to share information about a child with, for example, other agencies or professionals, or possibly social care or the police.
- If we judge that information needs to be shared with another agency we will ask for consent from a parent/carer, except in exceptional circumstances in which the safety or welfare of the child might be jeopardised.

- We will follow the advice set out in the Government document, *Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers* (2018) when making decisions regarding the sharing of confidential information, including whether, in exceptional circumstances, to share information without consent.
- Some parents may share information about themselves or their child with other parents; we cannot be held responsible if information is shared by those parents whom the person has confided in.
- We inform parents when we need to record confidential information beyond the general personal information we keep – for example with regard to any injuries, concerns or changes in relation to the child or the family, any discussions with parents on sensitive matters, any records we are obliged to keep regarding action taken in respect of child protection and any contact and correspondence with external agencies in relation to their child.
- All records, whether on paper or electronic, are kept securely. No-one outside the school staff has access to any information kept by Wildwood Nature School about the children at the school.
- Staff discuss children’s general progress and well-being together in meetings, but more sensitive information is restricted to our head of school and the child’s key person, and is shared with other staff on a need-to-know basis.
- We do not discuss children with anyone who is not involved in the child’s care, including with other parents or anyone else outside of the setting.
- Our discussions with other professionals take place within a professional framework and not on an informal or ad-hoc basis.
- Parents may at any time request to see all confidential information the school holds about their child. To do so they need to email the head of school, who will arrange for all such information to be provided to them.
- Our recording procedures and guidelines ensure that all records made about a child or family reflect an accurate and non-judgemental account of any work done or discussions held.
- The law requires that the information we hold must be accurate. If a parent says that the information we hold is inaccurate, then the parent has a right to request for it to be changed. However, this only pertains to factual inaccuracies.

## 2. Children’s records

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 *Data Protection Act* (1998) and the *Human Rights Act* (1998).

We keep two kinds of records on children attending our setting:

Developmental records:

- These include observations of children in the school, photographs, video clips and samples of their work and summary developmental reports.

Personal records - these may include the following (as applicable):

- Personal details – including the child’s enrolment form and any consent forms
- Parents’ details including contact information (address, phone numbers, email) and contact information for other adults (emergency contacts).
- Contractual matters – including a copy of the signed terms and conditions, a record of the child’s fees, any fee reminders or records of disputes about fees.
- Child’s development, health and well-being – information gathered via the enrolment form when the child starts at Wildwood Nature School and any information added afterwards.
- Any additional focussed intervention provided by our school (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.
- Dates and times of attendance.
- Accident and incident reports.

### 3. Children’s records

- Children's records, as outlined above, are kept both electronically and on paper, depending on what is most appropriate and necessary. In all cases, the records are kept securely and are only accessible by a member of the school staff or, on request, the parent of the child.
- Any paper records that are held by the school staff during the course of a session (e.g. contact details) are locked securely overnight.
- Shared electronic folders are shared only with school staff.

- Where appropriate, we will incorporate comments from other providers, as well as parents and/or carers into the child's records.
- 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 an 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, on request, 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 school; 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.
- When staff leave the school, their access to the shared electronic folders is removed and any paper records are returned to Wildwood Nature School.
- Other than when sharing with other agencies or professionals, with parental consent, staff never share any information about a child outside of the school, or save electronic files in any location other than the secure shared folders.

#### 4. Financial assessment applications

##### What we collect

For the purposes of assessing your ability to pay fees, as part of the application process we collect the following information from parents (both parents as appropriate) and guardians:

- Personal identifiers
- Contact information
- Detailed information about your financial circumstances.

##### How we collect and store the data

- The data are collected using a dedicated web application (called *portal* here for ease of reference) via a secure, encrypted connection.
- Applicants are invited to create their own account on the portal and set their own password at the start of the process, ensuring that only the applicants themselves and

staff from Wildwood Nature School and BAL (see below) will ever be able to access the inputted data.

- The data inputted by the applicants is stored within the portal and are not transferred or copied to any other location at any time. All use of the data takes place on the portal.

## Sharing and use of the data

- The data are used to assess applicant's ability to pay Wildwood school fees.
- The data are shared with Bursary Administration Limited (BAL) a company experienced in making assessments of families' financial circumstances.
- The inputted data are not reviewed by staff of Wildwood Nature School.
- BAL reviews the inputted data, on the portal, and produces an assessment that is then attached to the application on the portal.
- Wildwood Nature School read the BAL assessment.
- The data is not used for any other purpose.
- The data are not shared by Wildwood with any other person or organisation, other than BAL. However, BAL may share the data with other service providers in order to make their assessment. Please see also the BAL privacy policy: <https://www.schoolbursaryguide.com/data-protection/>

## Retention and deletion of the data

- Applications and the data within them are held for as long as is necessary to make the assessment.
- Applications including all the associated data are deleted within 3 months of the assessment being made.
- If a place is offered, following the assessment, the report summary (not the full report) will be kept on file by Wildwood Nature School for the duration of the place, then deleted in line with the general policy on record keeping. This summary will not include any personal identifiers (apart from names) or financial data.

## Consent and your data protection rights

- By submitting their data to the portal and e-signing the declaration, applicants give their consent for their data to be used as above.
- Applicants can ask by email or in writing for their application and all associated data to be deleted, at any time. The data will then be permanently deleted within 2 weeks of the request being read and confirmed by Wildwood.
- Applicants are entitled to a copy of the personal information held on the portal.

## 5. Record retention periods

We retain records in line with the 2018 recommendations from the Pre-School Learning Alliance – see Appendix 1 below. Records are retained for these periods either in paper or

electronic form, depending on what is more practical and secure. All retained records are held securely and can only be accessed by the school management.

### **Policy review**

Policy created: October 2022

Last reviewed: 20 April 2023

Last modified: 20 April 2023

Next review date: October 2024

## Appendix 1 – Record retention periods

Taken from *Retention periods for records* (Pre-School Learning Alliance 2018).

Children's records	Retention period	Status	Authority
<p>Children's records, including registers, medication records and accident records pertaining to children</p> <p>Note: children's learning and development records i.e. learning journeys are maintained by the setting and handed to parents when the child leaves.</p> <p>*If a concern is identified that legal action may be instigated, all relevant information will be retained until the child reaches the age of 25.</p>	<p>Records should be retained for a reasonable period of time after children have left the provision (e.g. three years) or until the next Ofsted inspection after the child has left the setting (whichever is soonest).</p>	Requirement	EYFS (given legal force by Childcare Act 2006)
	<p>Until child reaches age of 21 - or until the child reaches the age of 25 for child protection records, SEND records and health care plans.</p> <p>Records in relation to safeguarding concerns will also need to be kept in accordance with the Local Safeguarding Children Board's requirements.</p>	Recommendation	<p>Limitation Act 1980</p> <p>Normal limitation rules (which mean that an individual can claim for negligently caused personal injury up to three years after, or deliberately caused personal injury up to six years after the event) are postponed until the child reaches 18 years old.</p>
<p>Records of any reportable death, injury, disease or dangerous occurrence.</p>	<p>Three years from the date of the last entry (or, if the accident involves a child, then until the person reaches the age of 21).</p> <p>The setting will also need to consider whether it is necessary to keep the records for a longer period in light of the circumstances.</p>	Requirement	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (SI1995/3163) (as amended)
<p>Safeguarding and welfare records (including written summary of information transferred to schools) which resulted in a Child Protection referral or Child In Need referral being made to the local authority.</p>	<p>Until the child reaches age 25 years, or for Looked After Children 75 years.</p>	Requirement	Limitation Act 1980

<p>Safeguarding and welfare records (including written summary of information transferred to school) which resulted in a referral being made to CAF or other early help support services referrals.</p>	<p>Six years from time referral made, or for Looked After Children 75 years.</p>	Requirement	Limitation Act 1980
<b>Personnel records</b>	<b>Retention Period</b>	<b>Status</b>	<b>Authority</b>
<p>Personnel files and training records (including disciplinary records and working time records).</p>	<p>Six years after employment ceases.</p>	Recommendation	Chartered Institute of Personnel and Development
<p>Application forms and interview notes for unsuccessful candidates.</p>	<p>Six months to one year.</p>	Recommendation	Chartered Institute of Personnel and Development
<p>DBS information</p>	<p>Once a recruitment (or other relevant) decision has been made, we do not keep Disclosure information for any longer than is absolutely necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints.</p> <p>We will maintain on employee files the reference number, the date a check was obtained and who obtained it.</p>	Requirement	Disclosure and Barring Service
		Requirement	EYFS (given legal force by Childcare Act 2006)
<b>Pay</b>	<b>Retention Period</b>	<b>Status</b>	<b>Authority</b>
<p>Wages/salary records (including overtime, bonuses and expenses).</p>	<p>Six years.</p>	Requirement	Taxes Management Act 1970
<p>Statutory Maternity Pay (SMP) records.</p>	<p>Three years after the end of the tax year in which the maternity period ends.</p>	Requirement	The Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960) as amended
<p>Statutory Sick Pay (SSP) records.</p>	<p>Six years after employment ceases.</p>	Recommendation	Chartered Institute of Personnel and Development
<p>Income Tax and National Insurance returns/records.</p>	<p>At least three years after the end of the tax year to which they relate.</p>	Requirement	The Income Tax (Employments) Regulations 1993 (SI 1993/744) as amended
<p>Redundancy details, calculations of payments, refunds, notification to secretary of state.</p>	<p>Six years from the date of redundancy.</p>	Recommendation	Chartered Institute of Personnel and Development

Parental leave records.	18 years from the birth of the child.	Recommendation	Chartered Institute of Personnel and Development
National Minimum Wage records.	Three years after the end of the pay reference period following the one that the records cover.	Requirement	National Minimum Wage Act 1998
Pension scheme and member records.	Six years (except for records of opt-outs which must be kept for four years).	Requirement	The Pensions Regulator
	12 years from the ending of any benefit payable under the policy	Recommendation	Chartered Institute of Personnel and Development
<b>Health and safety</b>	<b>Retention Period</b>	<b>Status</b>	<b>Authority</b>
Staff accident records (for organisations with 10 or more employees).	Three years after the date of the last entry (there are separate rules for recording of accidents involving hazardous substances).	Requirement	Social Security (Claims and Payments) Regulations 1979 (SI 1979/628)
Records of any reportable death, injury, disease or dangerous occurrence.	Three years from the date of the last entry.	Requirement	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (SI 1995/3163) as amended
Accident/medical records as specified by the Control of Substances Hazardous to Health regulations (COSHH) 1999	40 years from the date of the last entry.	Requirement	The Control of Substances Hazardous to Health regulations 1999 (COSHH) (SIs 1999/437 and 2002/2677)
Assessments under Health and Safety Regulations and records of consultations with safety representatives and committees.	Permanently.	Recommendation	Chartered Institute of Personnel and Development
<b>Financial Records</b>	<b>Retention Period</b>	<b>Status</b>	<b>Authority</b>
Accounting records.	Three years for Private Companies Six years for Public Limited Companies. Six years for Charities.	Requirement	Section 386 and 388 of the Companies Act  Charities Act 2011 section 131

<b>Administration records</b>	<b>Retention period</b>	<b>Status</b>	<b>Authority</b>
Complaints records	At least three years from the date of the last record.	Requirement	Early Years Foundation Stage Welfare Requirements (given legal force by Childcare Act 2006)
Insurance policies.	Permanently.	Recommendation	Information and Records Management Society
Minutes/minutes books.	Permanently	Recommendation	Chartered Institute of Personnel and Development