**Confidentiality and Information Sharing Policy**

At Kingfisher Kindergarten we regard information shared by parents as confidential. However there are circumstances and reasons when we are obliged to share information.

We aim to share confidential information without authorisation from the person who provided it or to whom it relates ONLY if it is in the public interest i.e. it is to prevent crime from being committed or intervene where one may have been or to prevent harm to a child or adult or when not sharing information could be worse than the outcome of having shared it.

The decision should never be made as an individual, but with the back-up of management committee officers. The three critical criteria are:

* Where there is **evidence**that the child is suffering, or is at risk of suffering, significant harm.
* Where there **is reasonable cause to believe**that a child may be suffering, or at risk of suffering, significant harm.
* To **prevent** significant harm arising to children and young people or serious harm to adults, including the prevention, detection and prosecution of serious crime.

The Data Protection Act provides a framework to ensure that personal information about living persons is shared appropriately.

We explain to families how, when & why information will be shared about them and to whom. We seek consent to share information unless it puts the child at risk or undermines a criminal investigation.

Parents receive information about our information sharing policy when starting their child at the pre-school.

Parents are informed about the circumstances when information will be shared with external agencies e.g. with regard to any special needs the child may have or transition to school.

The pre-school seeks advice from the local children’s social care when there are doubts about possible significant harm to a child or others.

The pre-school respects the wishes of children & parents not to consent to share confidential information but, in the interests of the child, knows when it is reasonable to override their wishes.

The pre-school considers the safety & welfare of the child when making a decision about sharing information and, if there are concerns regarding “significant harm”; the child’s wellbeing & safety are paramount.

Information shared must be accurate and up to date, necessary for the purpose it is being shared for, shared only with those who need to know and shared securely.

The reasons for decisions to share information, or not, are recorded.

**Consent**

Parents have a right to be informed that:

* their consent to share information will be sought in most circumstances
* there are certain circumstances when their consent may not be sought
* their refusal to give consent may be overridden.

We do this by:

* Regularly updating our policies which state our responsibility regarding gaining consent to share information and when it may not be sought or overridden
* Discussing it verbally when the child starts
* The parents signing the registration form stating that they understand this
* Asking parents to give written consent to share information about additional needs their child may have or to pass on child development summaries to the next provider/school
* Giving parents copies of the forms they sign.

We consider the following questions when we need to share information:

* Is there legitimate purpose to sharing the information?
* Does the information enable the person to be identified?
* Is the information confidential?
* If so, do you have consent to share?
* Is there a statutory duty or court order to share information?
* If consent is refused, or there are good reasons not to seek consent, is there sufficient public interest to share information?
* If the decision is to share, are you sharing the right information in the right way?
* Have you properly recorded your decision?

This policy was reviewed by Kingfisher Kindergarten Ltd

On 11th November 2018

Date to be reviewed annually

Signed on behalf of the provider

Name of signatory La-Ryne Baker

Role of signatory Owner