



Little Ladybird Creche & Montessori

Policy #19

CONFIDENTIALITY AND INFORMATION SHARING

Introduction

Forming a partnership with parents is central to providing quality care. This partnership is characterised by open and honest communication.

Childcare services routinely handle confidential information about children, families and staff. Caring for a child adequately means that services need to have a certain amount of personal information about the child and his/her family. When managing sensitive information, it is important for childcare managers, administrators and staff to be aware of their ethical and legal responsibility to protect the privacy of individuals and families and to act in the best interests of the children in their care.

Services need to develop practices that respect privacy and confidentiality so that parents/carers can trust services and exchange information with staff which is important to the care of their child.

Definitions

Confidentiality – Confidentiality is about managing sensitive information that arises in a trusting relationship and doing so in a manner that is respectful, professional and purposeful.

Policy Statement

We will ensure that all information collected from persons will be considered private and confidential and is not disclosed without the prior knowledge or consent from the individual or their legal representative (or children, their legal representative is their parent or guardian).

We will inform persons, prior to collecting information, of the circumstances when information will be disclosed to other parties¹.

This may include, for example, where staff qualifications or first aid status may be disclosed to families in a parents' handbook. It may also include any issues related to child protection, where information obtained by the service is required to be disclosed to the relevant state authorities (see Child Protection Policy).

Files containing confidential information on children and families are accessible only to staff who must know the information in order to care for the children.

¹ For the purpose of this policy, 'other parties' signifies those individuals or legal/government bodies who may require the disclosure of personal information. For example, An Garda Síochána or the Pre-school Inspector.



Little Ladybird Creche & Montessori

Procedures are in place for collecting, storing, disclosing and disposing of the personal information of persons² appropriately.

A child's record will be available to their own parents/carers at all times but not to any other parents.

Staff may have access to their personnel files, excluding references given in confidence, by application in writing to the committee chairperson.

The service's policy on the collection, storage, use, disclosure and disposal of personal information is aligned with Data Protection Legislation (see Records and Record Keeping Policy).

We expect parents to provide all necessary and appropriate health information.

Procedures & Practices

The service is registered with the Data Protection Commissioner.

The personal information that the service collects includes:

- Contact details of children, families, staff, students, volunteers and management
- Children, families, staff, students, volunteers, emergency contacts contact details
- Children's health status, immunisation and developmental records and plans, external agency information, custodial arrangements, incident records and medication records
- Staff documentation relating to recruitment and selection, performance reviews, qualifications, work history, child protection checks, health status, immunisation records
- Student and volunteer work history, child protection checks

Before collecting personal information, the service will provide information on:

- The purpose of collecting the information.
- What types of information will be disclosed to the public or other agencies.
- When disclosure will happen.
- Why disclosure needs to occur.
- How information is stored and kept secure.
- Who has access to the information.
- Who updates information.
- The right of the individual to view their personal information and to have it changed if it is inaccurate.
- The length of time information needs to be stored.
- How information is disposed of when it is no longer needed.

No material in a child's record is to be disclosed without written consent of their parents or legal guardian.

² For the purpose of this policy, 'persons' include children, families, staff, management, ancillary staff (administrative staff, kitchen staff, cleaners, maintenance staff), students, volunteers, visitors, members of the local community, school community, the service owner.



Little Ladybird Creche & Montessori

Confidential information is only to be seen by and discussed with staff members who need the information to provide services.

Here describe the password system that is used for the electronic storage of any data and how you ensure secure storage of paper records.

Describe how you will dispose of records when they are no longer required by the service.

Breaches of confidentiality will be treated as a serious matter which will be dealt with under the service's disciplinary procedures (see Grievance and Disciplinary Policy and Procedures)

All information regarding concern or assessment of child abuse must be shared only on "a need to know" basis in the best interest of the child. It must never be the subject of conversation between any other persons in the service, staff, students or volunteers unless they are directly involved. Passing information to relevant authorities (An Garda Síochána or the HSE) is not a breach of confidentiality (see Child Protection Policy).

Information that is gathered for one purpose should not be used for any other purpose without consulting the person who provided that information.

Children

Examples of children's personal information collected by the service can include:

- *Contact details*
- *Health status*
- *Immunisation records*
- *Developmental records and plans*
- *External agency information*
- *Custodial arrangements*
- *Incident records*
- *Medication records*

Families

Examples of families' personal information collected by the service can include:

- *Contact details*

Staff/Carers

Staff should be aware of the service's commitment to maintaining and respecting an individual's privacy

Examples of staff personal information collected by the service can include:

- *Contact details*
- *Recruitment and selection documentation*
- *Qualifications, employment history, child protection checks*
- *Wages/salary, tax information, superannuation, bank account details*
- *Performance reviews*
- *Health insurance*
- *Health status*
- *Immunisation records*

Students/volunteers

Students/volunteers should be aware of the service's commitment to maintaining and respecting an individual's privacy.



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Examples of students' and volunteers' personal information collected by the service can include:

- *Contact details*
- *Recruitment and selection documentation*
- *Qualifications, employment history, child protection checks*
- *Student reviews and plans*
- *Health status*
- *Immunisation records.*

Management

Examples of management personal information collected by the service can include:

- *Contact details*
- *Recruitment and selection documentation*
- *Qualifications, employment history, child protection checks*
- *Wages/salary, tax information, superannuation, bank account details*
- *Performance reviews*
- *Health insurance*
- *Health status*
- *Immunisation records*

External agencies

The service may collect information about children and families from external agencies, such as health care professionals.

The service can state how this information is collected and to whom it is communicated. For example, a child may be enrolled in speech therapy. The speech therapist may decide that the strategies planned for the child need to be implemented by staff. In this situation, permission may need to be obtained from the family for the service and the therapist to communicate with one another and an exchange of the child's information between the therapist and the service.

Communication Plan

All parents/carers are to be informed of the policy and procedures regarding Confidentiality on registration. Staff members will check with parents/carers that they have read and understood the policy and provide any assistance needed. A summary of this policy will be included in the parent/carer handbook. This policy will also be reviewed with staff at induction and annual staff training.

A copy of all policies will be available during all hours of operation to staff members and parents in the Policy Folder located in the main office.

Parents/carers may receive a copy of the policy at any time upon request.

Parents/carers and staff will receive written notification of any updates.

Review Date

Date:

Name:



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Related Policies, Procedures and Forms

- Records and Record Keeping
- Recruitment and Selection Policy and Procedures
- Health and Safety Policies
- Child Protection Policy and Procedures
- Admissions Policy
- Accidents/Incidents/Illnesses Policies
- Grievance and Disciplinary Procedures
- Medications/Immunisations Policies
- Consent Forms *[here include the names of any specific forms that you use]*

References

- Child Care Act, 1991
- Child Care (Pre-school Services) Regulations 2006 and Child Care (Pre-School Services) (No 2) (Amendment) Regulations 2006
- **Legislation Handbook for Childcare Providers** 2nd Ed. Barnardos and Border Counties Childcare Network, 2008
- **Síolta** – The National Framework for Quality in Early Childhood Education
- **Children First:** National Guidelines for the Protection and Welfare of Children The full report can be downloaded at: www.dohc.ie/publications/children_first.html
- **Policy Development Guide** National Childcare Accreditation Council Inc. Australian Government, 2009

Contact Information:

Name:

Policy Created

Date:

Review Date

Date:

Signatures

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Additional Notes:

Notification of communicable illnesses

When any child is diagnosed with a communicable illness or condition, such as chicken pox, impetigo, head lice and many others, services are required to notify the staff and the families of any children who may have been exposed. Notified families should be instructed to monitor their own children for the development of any symptoms, and to seek medical attention if symptoms do occur. This type of notification can and should be done without mentioning the identity of the diagnosed child.

Children with special needs

Enrolled children may have special needs due to disabilities or chronic health conditions. To ensure their safety, services sometimes implement policies that have an effect on all of the families in the service. A common example of such a policy is one that prohibits families from bringing some types of food to the service, to accommodate the restricted diet of another child. A service may institute a peanut-free policy, to protect a child with a life-threatening reaction to peanuts. Or, a service may create a policy prohibiting sugar-laden cakes and cookies at birthday celebrations, to accommodate a child with diabetes, for whom such foods are dangerous.

When creating such policies and notifying other families, it is essential to consider the child's right to confidentiality. Notifications of policies should explain that there is a child in the service whose serious health condition makes the policy necessary. The notification need not mention the affected child by name.

To ensure the health and safety of children with special needs, staff who interact with the children should be informed of the identities of children with special health concerns on a "need to know" basis.

For example, staff members who prepare and serve food should be fully aware of which children have food allergies and what each affected child is allergic to. Staff members who monitor the children in the playground should be aware if any children are allergic to bee stings, or if any children have a chronic condition which warrants especially close monitoring during play (such as poorly controlled epilepsy, or diabetes treated by insulin injection). Primary caregivers and back-up staff need to know if any children in care have been prescribed medications, for what reasons, and what the possible side effects are, since they are likely to be administering the medications and monitoring the reaction. Service managers and childcare staff need to know if there are any un-immunised or under-immunised children in care, so that appropriate measures can be taken in the event of exposure to a vaccine-preventable illness.