



School's Out

# CONFIDENTIALITY





CONFIDENTIALITY	1
The Right to Privacy	3
Our Integrity	3
Data Protection Act 2018	3
Legal Basis	3
1. Lawfulness, Fairness, Transparency	4
2. Purpose limitation	4
3. Data minimisation	4
4. Accuracy	4
5. Storage limitation	4
6. Integrity and Confidentiality	4
7. Accountability	4
Information Sharing	5

## The Right to Privacy<sup>1</sup>

School's Out aspires to compliment school values<sup>2</sup> by respecting the privacy of the school community including all school children, their families and school employees.

## Our Integrity

The integrity of our staff is the cornerstone of our commitment to all children. Developing trust with parents and key educators embeds the reputation of the School's Out service and provides the basis for a secure emotional environment for children.



## Data Protection Act 2018

School's Out complies with the General Data Protection Regulation 2018<sup>3</sup> in our collection, processing and retention of personal data. Personal data is any information or range of information from which a person can be identified.

Pseudonymised data (i.e. the use of initials on an attendance register) can help reduce privacy risks by making it more difficult to identify individuals, however it is still personal data and must be treated accordingly.

## Legal Basis<sup>4</sup>

We have a legal basis to process data and to protect employees, activity providers, volunteers, registered children and families against inappropriate disclosure of personal information (breach of confidentiality). We respect data protection and confidentiality under the seven key principles for processing personal data required by the GDPR.



<sup>1</sup> Article 8 of the European Convention on Human Rights (1950), Human Rights Act (1998), Article 16 United Nations Convention on the Rights of the Child (1989)

<sup>2</sup> Our Ethos: Admissions and Attendance Policy

<sup>3</sup> Data Protection Act (2018), General Data Protection Regulation (2018)

<sup>4</sup> Childcare Act (2006), Statutory Framework for the Early Years Foundation Stage (2017)

## 1. Lawfulness, Fairness, Transparency

- We have an appropriate lawful basis for processing data and we don't do anything unlawful with it
- We have considered how the processing may affect the individuals concerned and can justify any adverse impact
- We are open and honest and comply with the transparency obligations of the right to be informed. Parents can ask to see the records relating to their child, but will not have access to information about other children. Information given by parents/carers will not be passed on to other adults without permission/ consent being requested

## 2. Purpose limitation

- We have clearly identified our purpose for processing data, it is documented in our Privacy Policy (Appendix 1)<sup>5</sup> and transparently shared on our website and parent noticeboards

## 3. Data minimisation

- We only collect personal data we need for our specified purposes, we have sufficient personal data to fulfil those purposes and we periodically review the data we hold, deleting anything not needed as per our data audit

## 4. Accuracy

- We check our data for accuracy, ensure it is kept up to date, record and report any errors

## 5. Storage limitation

- We know and have detailed what personal data we collect, how long we keep it and the methods we use to destroy it

## 6. Integrity and Confidentiality

- We process personal data on secure computers, using password security
- We use forms to record information, store documents in locked cupboards and transport materials in locked bags
- Staff and volunteer induction training has a significant focus on confidentiality
- Staff have access to private meeting rooms for handovers, supervisions and team meetings and only discuss individual children for the purposes of planning and setting management.

## 7. Accountability

- We take responsibility for complying with the GDPR, at the highest management level and throughout our organisation.
- We keep evidence of the steps we take to comply with the GDPR, please see our data audit (Appendix 2)<sup>6</sup>

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<sup>5</sup> Privacy Policy (Appendix 1)

<sup>6</sup> Data Audit (Appendix 2)

## Information Sharing<sup>7</sup>

The 7 golden rules for information sharing:

1. The Data Protection Act (2018) and human rights laws are not barriers *to pertinent information sharing with colleagues in a professional manner or with outside agencies in cases relating to safeguarding children, child protection or criminal activity* but provide a framework to ensure that personal information about living individuals is shared appropriately
2. Be open and honest with the individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so
3. Seek advice from other practitioners if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible
4. Share with informed consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, there is good reason to do so, such as where safety may be at risk. You
5. Consider safety and well-being: Base your information sharing decisions on considerations of the safety and wellbeing of the individual and others who may be affected by their actions
6. Necessary, proportionate, relevant, accurate, timely and secure: Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely (Practitioners must always follow their organisation's policy on security for handling personal information)
7. Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose

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<sup>7</sup> <https://www.norfolkscb.org/about/policies-procedures/1-7-information-sharing-and-confidentiality/>