

The importance of confidentiality and data protection



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Home-based childminders gather a lot of private information about both the children and families with whom they work with. This information may of been picked up from the children themselves, or told directly to the childminder from the parents, or other professionals such as teachers, providing the parents have given them consent to do so. The upmost crucial characteristic of confidentiality is not passing on or sharing information about either the child or their families with other people.

All information that you may have on a child must be treated as confidential and it must only be shared between yourself, the child and the child's parents. There may be occasions from where you can share information to other professionals, for example if the child sees a speech therapist; you may wish to seek help and advice from them. Or, if you collect children from school, or another Early Years setting and the teacher may want to discuss the child's progress with you, or if you have taken the child to a health visitor and they may wish to talk to you about the child.

You can only do this however providing the parent has given written permission for you to do so. If you have not been given this written consent then you would need to explain to the relevant professional that you cannot discuss or share information with them regarding the matter and explain that to do so would be a breach of confidentiality and be unprofessional. The one and only exception to this would be in the case of safeguarding, when you feel that telling the parents may jeopardise the safety of the child.

Children and their families have a legal right to privacy. The Data Protection Act (1998) is designed to prevent confidential and personal information being passed on, or shared to other individuals without a person's consent.

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This includes photographs, written paperwork and any information that may be stored on a computer. There are 8 principles of the Data Protection Act (1998) and they specify that ALL personal data must be:

- * Processed fairly and lawfully
- Obtained for specified and lawful purposes
- * Adequate and up-to-date
- * Not kept any longer than necessary
- * Processed in accordance with the 'data subjects' (the individual's rights)
- * Securely kept (Ex. Lock and key for paper documents and password protected for any computer based data)
- * Not transferred to any other country without adequate protection.

Written information should never be removed from the setting or home. If possible, documents like medical cards should be kept in the child's home.

Observations and a child's personal details should be kept in the childminders home. A parent must give written permission for a childminder to take and store photographs, and if appropriate the child too. You must ensure that it is securely stored (principle 7 of the Data Protection Act (1998)). If you do use a computer to store your files and information, you should Always password protect them. This ensures that all information you have stored is kept confidential and is not accessible to other adults or children.

While you think that you may be extremely careful with written or digitally stored information, it can be very easy to breach confidentiality in conversations, usually with other home-based childminders. For example, you may only think you're talking about your work, or general behaviour concerns or even planned activities, but you could inadvertently breach

confidentiality and give away enough information about the child or their family to be identified by another person.

All information that you may need to share with parents regarding a child is confidential, as is the information they may share with you. This may include the following:

- * Contract details, such as fees, hours, addresses and contact details
- * Information about yourself, including your qualifications, experience and training
- * Information from when a new child starts at your setting, such as how the child asks to use the toilet or whether they use special words which have specific meanings
- * What you would do in an emergency
- Routine events, such as nappy changing, using the toilet and ways to meet parents and children's needs
- * Medical issues
- * Educational records
- * Parents employment details and any family details such as custody arrangements
- * Religious beliefs

- * Children's likes and dislikes
- * How and when you exchange daily information. Most parents want the best for their children and that would usually include the support and help of any other professionals. This is to ensure that the needs of the children are met and they understand that this may mean that certain information will have to be shared. The only exception to this would be if there was a safeguarding issue and you feel that by sharing information may put the child at greater risk. There are only 2 sets of circumstances in which confidentiality can be breached. They are the following:
- * If the parents have given permission for you to pass on and share information
- * If it is essential to do so in the best interests of a child, for example safeguarding or a medical emergency

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