



Data Protection and Confidentiality Policy

At Liberty Kids we recognise that we hold sensitive and confidential information about children and their families and the staff we employ. This information is used to meet children's needs, for registers, invoices and emergency contacts. We store all records in locked cabinets in line with data protection registration and any information shared with the staff team is done on a 'need to know' basis and treated in confidence. This policy will work alongside the GDPR privacy notice to ensure compliance under General Data Protection Regulation (Regulation (EU) 2016/679 (GDPR) and Data Protection Act 2018.

Legal requirements

- We follow the legal requirements set out in the Health and Social Care Standards and accompanying regulations about the information we must hold about registered children and their families and the staff working at the nursery
- We follow the requirements of the General Data Protection Regulation (Regulation (EU) 2016/679 (GDPR) and the Freedom of Information (Scotland) Act 2002 with regard to the storage of data and access to it.

Procedures

It is our intention to respect the privacy of children and their families, and we do so by:

- Storing confidential records in a locked filing cabinet
- Ensuring staff and student inductions include an awareness of the importance of protecting the privacy of the children in their care, as well as legal requirements to ensure that information relating to the child is handled in a way that ensures confidentiality. This includes making sure that information about the child and family is not shared outside of the nursery, other than with relevant professionals who need to know that information. It is not shared with friends and family, or part of any social discussions outside of the setting. It is not shared with friends and family, discussions on the bus or at the local bar. If staff breach any confidentiality provisions, this may result in disciplinary action and, in serious cases, dismissal. Students on placement in the nursery are advised of our Data Protection and confidentiality policy and required to respect it
- Ensuring all staff are aware that this information is confidential and only for use within the nursery setting. If any of this information is requested for whatever reason, the parent's permission will always be sought other than in the safeguarding circumstances above
- Ensuring staff do not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs
- Ensuring staff and students are aware of and follow our Social networking policy in relation to confidentiality
- Ensuring issues concerning the employment of staff remain confidential to the people directly involved with making personnel decisions
- Ensuring any concerns or evidence relating to a child's personal safety are kept in a secure, confidential file and are shared with as few people as possible on a 'need-to know' basis. If, however, a child is considered at risk, our Safeguarding children and child protection policy will override confidentiality.

All the undertakings above are subject to the paramount commitment of the nursery, which is to the safety and well-being of the child.



General Data Protection Regulation (Regulation (EU) 2016/679) (GDPR) compliance

In order to meet our requirements under GDPR we will also undertake the following:

- We will ensure our terms and conditions; privacy and consent notices are easily accessed and made available in accurate and easy to understand language
- We will use personal data to ensure the safe, operational and regulatory requirements of running our nursery. We will only make contact in relation to the safe, operational and regulatory requirements of running our nursery. We will not share or use personal data for other purposes. Further detail can be found in the GDPR privacy notice
- Everyone in our nursery understands that people have the right to access their records or have their records amended or deleted (subject to other laws and regulations)
- Our IOC data protection data protection certificate is displayed in the office
- We will ensure staff have due regard to the relevant data protection principles, which allow them to share (and withhold) personal information, as provided for in the Data Protection Act 2018 and the GDPR. This includes:
 - Being confident of the processing conditions which allow them to store and share information for safeguarding purposes, including information, which is sensitive and personal, and should be treated as 'special category personal data'
 - Understanding that 'safeguarding of children and individuals at risk' is a processing condition that allows practitioners to share special category personal data. This includes allowing practitioners to share information without consent where there is good reason to do so, and that the sharing of information will enhance the safeguarding of a child in a timely manner, but it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk.

Staff information

- All information and records relating to staff and volunteers will be kept confidentially in a locked cabinet
- Individual staff may request to see their own personnel file at any time.

For more information on data protection and to register your nursery visit <https://ico.org.uk/>



Data Protection and Confidentiality Policy Links to Frameworks and Standards

Links to the Quality Improvement Framework for Early Learning and Childcare (2025):

This policy supports the following areas and Quality Indicators (QIs) from the Care Inspectorate’s latest QIF version:

- **Children thrive and develop in quality spaces**
Quality Indicator: Children experience nurturing, safe, and respectful environments (pages 25–30) — The policy promotes secure handling and storage of confidential information about children, families, and staff, underpinning trust and a safe nursery environment.
- **Children are supported to achieve**
Quality Indicator: Partnerships with parents and families (pages 40–45) — By ensuring transparency about data use and confidentiality, the policy fosters trusting relationships with families and supports effective partnership working.
- **Leadership**
Quality Indicator: Leadership and management of staff and resources (pages 55–60) — The policy demonstrates strong governance with clear procedures for data protection, staff training, confidentiality expectations, and legal compliance under GDPR and Data Protection Act 2018.

Health and Social Care Standards (HSCS): This policy aligns with the following standards:

- **3.4:** I have confidence in people because they are trained, competent, and skilled, are able to reflect on their practice and follow their professional and organisational codes.
- **3.14:** I have confidence in people because they are trained, competent, and skilled.
- **4.18:** I benefit from a culture of continuous improvement, with the organisation having robust and transparent quality assurance processes.

United Nations Convention on the Rights of the Child (UNCRC):

This policy respects and upholds the following rights related to privacy, data protection, and safeguarding:

- **Article 1:** All children have rights without discrimination.
- **Article 2:** Children have the right to protection from discrimination, ensuring fair treatment regarding their personal information.
- **Article 16:** Children have the right to privacy and protection of their personal information, ensuring confidentiality and responsible data handling.
- **Article 19:** Children have the right to protection from all forms of violence, abuse, neglect, and harmful practices, including breaches of confidentiality that might put them at risk.

This section ensures the Data Protection and Confidentiality Policy is clearly grounded in national quality frameworks, care standards, and the rights of children, assuring compliance with data protection legislation while safeguarding children and families within the nursery environment.

This policy was adopted on	Approved by	Date for Review
August 2025	Gail Anderson & Samantha Wilson	August 2026