



Record Keeping Policy (including Transfer of Records to School)

Date reviewed: 27.09.2021

Policy statement

Hanslope Pre-school maintain records, policies and procedures required for the safe and efficient management of the setting and to meet the needs of the children.

Aim

We have record keeping systems in place for the safe and efficient management of the setting and to meet the needs of the children; that meet legal requirements for the storing and sharing of information within the framework of the GDPR and the Human Rights Act.

Objectives

- Children's records are kept in personal files, divided into appropriate sections, and stored separately from their developmental records.
- Children's personal files contain registration information as specified in this policy.
- Children's personal files contain other material described as confidential as required, such as Common Assessment Framework assessments, Early Support information or Education, Health and Care Plan (EHCP, case notes including recording of concerns, discussions with parents, and action taken, copies of correspondence and reports from other agencies.
- Ethnicity data is only recorded where parents have identified the ethnicity of their child themselves.
- Confidentiality is maintained by secure storage of files in a locked cabinet with access restricted to those who need to know. Client access to records is provided for within procedure 07.4 Client access to records.
- Staff know how and when to share information effectively if they believe a family may require a particular service to achieve positive outcomes
- Staff know how to share information if they believe a child is in need or at risk of suffering harm.
- Staff record when and to whom information has been shared, why information was shared and whether consent was given. Where consent has not been given and staff have taken the decision, in line with guidelines, to override the refusal for consent, the decision to do so is recorded.
- Guidance and training for staff specifically covers the sharing of information between professions, organisations, and agencies as well as within them, and arrangements for training takes account of the value of multi-agency as well as single agency working.

Records

The following information and documentation are also held:

- name, address and contact details of the provider and all staff employed on the premises
- name address and contact details of any other person who will regularly be in unsupervised contact with children
- a daily record of all children looked after on the premises, their hours of attendance and their named key person
- certificate of registration displayed and shown to parents on request
- records of risk assessments
- record of complaints

Procedures

If a child attends another setting, we establish a regular two-way flow of appropriate information with parents and other providers. Where appropriate we will incorporate comments from other providers, as well as parents or carers into the child's records.

Children's Records (10.6)

We keep two kinds of records on children attending our setting.

Developmental records

- These include observations of children in the setting, photographs, video clips, and samples of their work and summary developmental reports.
- These are kept on the children's online learning journal (Tapestry) and can be freely accessed and contributed to, by staff and the child's parents.

Personal Records

These may include the following

- Personal details – including the child's registration form and any consent forms.
- Contractual matters – signed day care records, the child's days, and times of attendance.
- A record of the child's fees, any fee reminders, or records of disputes about fees.
- Child's development, health, and well-being – including a summary of the child's EYFS profile report, a record of discussions about everyday matters about the child's development, health, and well-being with the parent.
- Early years support – including any additional intervention provided by our setting (e.g., support for behaviour, language or development that needs a SEN action plan) and records of any meetings held.
- Welfare and child protection concerns - including records of all welfare and protection concerns, and our resulting action, meetings and telephone conversations about the child, an Educational Health Care Plan, and any information regarding a Looked After Child.
- Correspondence and reports – including copies of the child's 2-Year-Old Progress Check (as applicable), all letters and emails to and from other agencies and any confidential reports from other agencies.
- Paper confidential records are stored in a lockable cabinet and are kept secure by the Practice Manager.
- Any computer stored records are password protected and access is only available to the staff who are required to make entries to them.
- Online learning journals are password protected and access is only available to staff who need to make entries to them, Practice Manager and Deputy Manager and the individual child's parents.
- We ensure access to children's files is restricted to those authorised to see them and to make entries in them, this being our Practice Manager, Deputy or designated person for child protection, the child's keyworker, or other staff as authorised by our Practice Manager.

- Children's files may be handed to Ofsted as part of an inspection or investigation; they may also be handed to local authority staff conducting a S11 audit if authorisation is seen.
- We ensure that children's personal files are not handed over to anyone else to look at.
- Parents have access, in accordance with our Privacy Notice, Confidentiality Policy (Client Access to Records), to the files and records of their own children but do not have access to information about any other child.
- Staff will not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs. Our staff induction programme includes an awareness of the importance of confidentiality in the role of the key person.
- We retain children's records for at least three years after they have left the setting; except records that relate to an accident or child protection matter, which are kept until a child reaches the age of 21 years or 24 years, respectively. These are kept in a secure place.
- Retention periods for all records are listed in the tables below.

Archiving children's files

- When a child leaves our Pre-school, we remove all paper documents from the child's personal file and place them in a robust envelope, with the year that they left.
- We seal the envelope, and it is archived and stored in a safe place (i.e., a locked filing cabinet) for three years. After three years it is destroyed.
- If data is kept electronically, it is encrypted and stored as above.
- Where there were s47 child protection investigations, we mark the envelope with a star and archive it for 25 years.
- We store financial information according to our finance procedures.

Other Records

- We keep a daily record of the names of the children we are caring for, their hours of attendance and the name of the key person.
- Students on Early Years Alliance or other recognised qualifications and training, when they are observing in the setting, are advised of our Confidentiality Policy, and are required to respect it.

Provider Records (10.7)

We keep records and documentation for the purpose of maintaining our business. These include:

- Records pertaining to our registration.
- Landlord/lease documents and other contractual documentation pertaining to amenities, services, and goods.
- Financial records pertaining to income and expenditure.
- Risk assessments.
- Employment records of our staff including name, home address and telephone number.
- Names, addresses and telephone numbers of anyone who is regularly in unsupervised contact with the children.

We consider our records as confidential based on the sensitivity of information, such as with employment records. These confidential records are maintained about the framework of the General Data Protection Regulations (2018), further details are given in our Privacy Notice and the Human Rights Act (1998).

This policy and procedure should run alongside our Privacy Notice, Confidentiality - Client Access to Records Policy and Information Sharing.

Procedures

- All records are the responsibility of the officers of the management committee who ensure they are kept securely.

- All records are kept in an orderly way in files and filing is kept up to date.
- Financial records are kept up to date for audit purposes.
- We maintain health and safety records; these include risk assessments, details of checks or inspections and guidance, are maintained by our Practice Manager.
- Our Ofsted registration certificate is displayed.
- Our Public Liability insurance certificate is displayed.
- All employment and staff records are kept securely and confidentially in a lockable cabinet.

We notify Ofsted of any

- Change to the name and address of our registered provider, or the provider's contact information.
- Change to the person who is managing our provision.
- Significant event which is likely to affect our suitability to look after children.
- Other event as detailed in the Statutory Framework for the Early Years Foundation Stage (DfE2021).

Transfer of Records

Records about a child's development and learning in the EYFS are made by the setting; to enable smooth transitions, appropriate information is shared with the receiving setting or school at transfer. Confidential records are passed on securely where there have been concerns, as appropriate.

Transfer of development records for a child moving to another early years setting or school

- It is the designated person's responsibility to ensure that records are transferred and closed in accordance with the archiving procedures, set out below.
- If the Local Safeguarding Partners (LSP) retention requirements are different to the setting, the designated person will liaise with the management committee, and seek legal advice if necessary.

Development and learning records

- The key person prepares a summary of achievements in the prime and specific areas of learning and development
- This record refers to any additional languages spoken by the child and their progress in all languages.
- The record also refers to any additional needs that have been identified or addressed by the setting and any action plans.
- The record also refers to any special needs or disability and whether early help referrals, or child in need referrals or child protection referrals, were raised in respect of special educational needs or disability, whether there is an Action Plan (or other relevant plan, such as CIN or CP, or early help) and gives the name of the lead professional.
- The summary shared with schools should also include whether the child is in receipt of, or eligible for EYPP or other additional funding.
- The record contains a summary by the key person and a summary of the parents' view of the child.
- The document may be accompanied by other evidence such as photos or drawings that the child has made.
- The setting will use the local authority's assessment summary format or transition record, where these are provided.

- Whichever format of assessment summary is used, it should be completed and shared with the parent prior to transfer.

Transfer of confidential safeguarding and child protection information

- The receiving school/setting will need a record of child protection concerns raised in the setting and what was done about them. The responsibility for transfer of records lies with the originating setting, not on the receiving setting/school to make contact and request them.
- To safeguard children effectively, the receiving setting must be made aware of any current child protection concerns, preferably by telephone, prior to the transfer of written records.
- Parents should be reminded that sensitive information about their child is passed onto receiving settings where there have been safeguarding concerns and should be asked to agree to this prior to the information being shared. Settings are obliged to share data linked to “child abuse” which is defined as physical injury (non-accidental) physical and emotional neglect, ill treatment, and abuse.
- Parents/carers should be asked to agree to this, however, where safeguarding concerns have reached the level of a referral being made to local children’s social work services (either due to concerns that a child may be at risk of significant harm or that a child may be in need under Section 17 of the Children Act,) if consent is withheld the information will most likely need to be shared anyway. It is important that any decisions made to share or not share with or without consent are fully recorded.
- For any safeguarding or welfare concerns that resulted in an early help referral being made, and if consent to share is withheld, legal advice is sought prior to sharing.
- If the level of a safeguarding concern has not been such that a referral was made for early help, or to children’s social work services or police, the likelihood is that any concerns were at a very low level and if they did not meet the threshold for early help, they are unlikely to need to be shared as child abuse data with a receiving setting, however, the designated person should make decisions on a case by case basis, seeking legal advice is necessary.
- The designated person should check the quality of information to be transferred prior to transfer, ensuring that any information to be shared is accurate, relevant, balanced, and proportionate. Parents can request that any factual inaccuracies are amended prior to transfer.
- If a parent wants to see the exact content of the safeguarding information to be transferred, they should go through the subject access request process. It is important that a child or other person is not put at risk through information being shared.
- If no referrals have been made for early help or to children’s social work services and police, there should not normally be any significant information which is unknown to a parent being shared with the receiving school or setting.
- If a parent has objections or reservations about safeguarding information being transferred to the new setting, or if it is unclear what information should be included, the designated person will seek legal advice.

- If LSP requirements are different to the setting's this must be explained to the parent, and recorded, and a record of the discussion should be signed by parents to indicate that they understand how the information will be shared, in what circumstances, and who by.
- Prior to sharing the information with the receiving setting, the designated person should check LSP retention procedures and if it becomes apparent that the LSP procedures are materially different to setting's procedures this is brought to the attention of the designated person's line manager, who will agree how to proceed.
- If a child protection plan or child in need plan is in place a child welfare and protection summary is also photocopied and a copy is given to the receiving setting or school, along with the date of the last professional meeting or case conference.
- If a S47 investigation has been undertaken by the local authority a copy of the child welfare and protection concern summary form is given to the receiving setting/school.
- Where a CAF/early help assessment has been raised in respect of welfare concerns, the name and contact details of the lead professional are passed on to the receiving setting or school.
- If the setting has a copy of a current plan in place due to early help services being accessed, a copy of this should be given to the receiving setting, with parental consent.
- Where there has been a S47 investigation regarding a child protection concern, the name and contact details of the child's social worker will be passed on to the receiving setting/school, regardless of the outcome of the investigation.
- Where a child has been previously or is currently subject to a child protection plan, or a child in need plan, the name and contact details of the child's social worker will be passed onto the receiving setting/school, along with the dates that the relevant plan was in place for.
- This information is posted (by 'signed for' delivery) or taken to the school/setting, addressed to the settings or school's designated person for child protection and marked confidential. Electronic records must only be transferred by a secure electronic transfer mechanism, or after the information has been encrypted.
- Parent/carers should be made aware what information will be passed onto another setting via 07.1a Privacy notice.
- Copies of the last relevant initial child protection conference/review, as well as the last core group or child in need minutes can be given to the setting/school.
- The setting manager must review and update 06.1a Child welfare and protection summary, checking for accuracy, proportionality, and relevance, before this is copied and sent to the setting/school.
- The setting manager ensures the remaining file is archived in line with the procedures set out below.

No other documentation from the child's personal file is passed to the receiving setting or school. The setting keeps a copy of any safeguarding records in line with required retention periods.

Archiving children's files

- Paper documents are removed from the child's file, placed in a robust envelope, with the child's academic year.
- The designated person writes clearly on the front of the envelope the length of time the file should be kept before destruction.

This is sealed and placed in an archive box and stored in a safe place i.e., a locked cabinet for three years or until the next Ofsted inspection conducted after the child has left the setting and can then be destroyed.

- For web-based or electronic children's files, the designated person must also use the archiving procedure, and records details of what needs to be retained/destroyed. The designated person must decide to ensure that electronic files are deleted/retained as required in accordance with the required retention periods in the same way as paper-based files.
- Health and safety records and some accident records pertaining to a child are stored in line with required retention periods.

Legal references

General Data Protection Regulation 2018

Freedom of Information Act 2000

Human Rights Act 1998

Statutory Framework for the Early Years Foundation Stage (DfE 2021)

Data Protection Act 2018

Further guidance

Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents, and carers. (HMG 2018)

This policy was reviewed by Hanslope Pre-school on 27th September 2021

Date to be reviewed 27th September 2022

Signed on behalf of the Hanslope Pre-school

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By DWatson

Chairperson on 20/10/21

Children's Records	Retention Period	Status	Authority
Children's records including registers, medication records, accident records pertaining to children	Records should be retained for a reasonable period after Children have left the provision (e.g., three years) or until the next Ofsted Inspection after the child had left the setting (whichever is soonest)	Requirement	EYFE (given legal force by Childcare Act 2006)
*If a concern is identified that legal action may be instigated, all relevant information will be retained until the child reaches the age of 25	Until the child reaches 21 - or until the child reaches the age of 25 for child protection records, SEND records and health care plans Records in relation to Safeguarding concerns will also need to be kept in accordance with the Local safeguarding Children Board's requirements	Recommendation	Limitation Act 1980 Normal limitation rules (which mean that an individual can claim for negligibility caused personal injury up to three years after, or deliberately caused personal injury up to six years after the event) are postponed until the child reaches 18 years old
Records of any reportable death, injury, diseases, or dangerous occurrences	Three years from the date of the last entry, or if the accident involves a child, then until the person reaches the age of 21 The setting will also need to consider whether it is necessary to keep the records for a longer period considering the circumstances	Requirement	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (SI1995/3163) (as amended)
Safeguarding and welfare records (including written summary of information transferred to schools) which resulted in a Child Protection referral or Child in Need referral being made to the local authority	Until the child reaches the age 25 years, or for Looked After Children 75 years	Requirement	Limitation Act 1980
Safeguarding and welfare records (including written summary of information transferred to schools) which	Until the child reaches the age 25 years, or for Looked After Children 75 years	Requirement	Limitation Act 1980

resulted in a referral being made to CAF or other early years support services referrals			
Personnel Records	Retention Period	Status	Authority
Personnel files and training records (including disciplinary records and working time records)	Six years after employment ceases	Recommendation	Chartered Institute of Personnel and Development
Application forms and interview notes for unsuccessful candidates	Six months to one year	Recommendation	Chartered Institute of Personnel and Development
DBS information	Once a recruitment (or other relevant) decision has been made, we do not keep Disclosure information for any longer than is absolute necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints We will maintain on employee files references number, the date a check was obtained and who obtained it	Requirement Requirement	Disclosure and Barring Service EYFS (given legal force by Childcare Act 2006)
Pay	Retention	Status	Authority
Wages/Salary records (including overtime, bonuses, and expenses)	Six years	Requirement	Taxes Management Act 1970
Statutory Maternity Pay (SMP) records	Three years after the end of the tax year in which the maternity period ends	Requirement	The Statutory Maternity Pay (General) regulations 1986 (SI 1993/744) as amended
Statutory Sick Pay (SSP) records	Six years after employment ceases	Recommendation	Chartered Institute of Personnel and Development
Income Tax and National Insurance returns/records	At least three years after the end of the tax year to which they relate	Requirement	The Income Tax (Employments) Regulations 1993 (SI 1993/744) as amended
Redundancy details, calculations of payments, refunds, notification to secretary of state	Six years from date of redundancy	Recommendation	Chartered Institute of Personnel and Development

National Minimum Wage records	Three years after the end of the pay reference period following the one that the records cover	Requirement	National Minimum Wage Act 1998
Pension Scheme and members records	Six years (except for records of opt-out which must be kept for four years)	Requirement	The Pension regulator
	12 years from the ending of any benefit payable under the policy	Recommendation	Chartered Institute of Personnel and Development

Health and Safety	Retention	Status	Authority
Records of reportable death, injury, diseases, or dangerous occurrence	Three years from the date of the last entry	Requirement	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (SI1995/3163) (as amended)
Accident/medical records specified by the Control Substances Hazardous to Health regulations (COSHH) 1999	40 years from the date of the last entry	Requirement	The Control of Substances Hazardous to Health regulations 1999(COSHH) (SI 1999/437 and 2002/2677)
Assessments under Health and Safety Regulations and records of consultations with safety representatives and committees	Permanently	Recommendation	Chartered Institute of Personnel and Development
Financial Records	Retention	Status	Authority
Accounting Records	Three years for Private Companies Six years for Public Limited Companies Six years for Charities	Requirement	Section 386 and 388 of the Companies Act Charities Act 2011 section 131
Administration Records	Retention	Retention	Authority
Complaints records	At least three years from the date of the last record	Requirement	Early Years Foundation Stage Welfare Requirements (given legal force by Childcare Act 2006)
Insurance policies	Permanently	Recommendation	Information and Records Management Society

Minutes/minutes book	Permanently	Recommendation	Chartered Institute of Personnel and Development
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The following information is taken from the Early Years Alliance publication 'Financial Management':

Purchase Invoices and Supplier Documentation

Document type	Required retention period
Payments cash book or record of cheque payments	6 years
Purchase ledger	6 years
Invoice – revenue	6 years
Invoice – capital item	10 years
Successful quotations for capital expenditure	Indefinitely
Petty cash records	7 years
Income/monies received	
Document type	Required retention period
Bank paying-in counterfoils	6 years
Bank statements	6 years
Receipts cash book	10 years
Sales ledger	10 years
Remittance advices	6 years
Bank reconciliations	6 years
Deeds of covenant	6 years (12 years if dispute over payment)
Correspondence re donations	3 years
Other documents	
Document type	Required retention period
Fixed asset register, investment ledger, investment certificates	Indefinitely
Agreements with suppliers and licensing agreements	Under seal – 12 years after expiry
Leases, rental agreements, and hire purchase Indemnities and guarantees Loan agreements Other contracts and agreements	Other – 6 years after expiry
Payroll Documentation	
Income Tax re employee leaving (P45), notice to employer of tax code changes (P6), certificate of pay tax deducted (P60), notice of tax code change and annual return of taxable pay and tax deducted (P14)	6 years
Retirements and benefits scheme	7 years
Copy pay slips	2 years
Payroll and payroll control account	7 years
Employee/Personnel Records	
Medical reports	40 years after the date of the last entry or end of investigation
Accident reports	3 years after the date of the last entry or end of investigation
Expenses records	6 years plus current year