



Record Keeping Procedures

7.1 Children's Records and Data Protection

Policy statement

We have record keeping systems in place that meet legal requirements; the means we use to store and share that information takes place within the framework of the General Data Protection Regulations (GDPR) (2018) and the Human Rights Act (1998).

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

Principles of data protection: lawful processing of data

Personal data shall be:

- a) processed lawfully, fairly and in a transparent manner in relation to the data subject*
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is not compatible for these purposes*
- c) adequate, relevant and necessary in relation to the purposes for which they are processed*
- d) accurate, and where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purpose for which they are processed, are erased or rectified without delay*

- e) *kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed*
- f) *processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures (“integrity and confidentiality”)* Article 5 of the General Data Protection Regulations (2018)

We process data, record and share information in line with the principles above.

General safeguarding recording principles

- It is vital that all relevant interactions linked to safeguarding children’s and individual’s welfare are accurately recorded.
- All recordings should be made as soon as possible after the event.
- Recording should be to a good standard and clear enough to enable someone other than the person who wrote it, to fully understand what is being described.
- Recording can potentially be viewed by a parent/carers, Ofsted inspector, childminder agency, by the successors of the educators who record, and may be used in a Family Court as relevant evidence to decide whether a child should remain with their biological parents or be removed to live somewhere else. Recording needs to be fair and accurate, non-judgemental in tone, descriptive, relevant, and should clearly show what action has been taken to safeguard a child and reflect decision-making relating to safeguarding.
- Recording should be complete, it should show what the outcome has been, what happened to referrals, why decisions were made to share or not share information, and it should contain summaries and minutes of relevant multi-agency meetings and multi-agency communication.
- If injuries or other safeguarding concerns are being described the description must be clear and accurate and should give specific details of the injury observed and where it is located.

The principles of GDPR and effective safeguarding recording practice are upheld

- Recording is factual and non-judgemental.

- The procedure for retaining and archiving personal data and the retention schedule and subsequent destruction of data is adhered to.
- Parents/carers and children where appropriate are made aware of what will be recorded and in what circumstances information is shared, prior to their child starting at the setting. Parents/carers are issued with a Privacy notice and should give signed, informed consent to recording and information sharing prior to their child attending the setting. If a parent/carer would not expect their information to be shared in any given situation, normally, they should be asked for consent prior to sharing.
- There are circumstances where information is shared without consent to safeguard children. These are detailed below, but in summary, information can be shared without consent if an educator is unable to gain consent, cannot be expected to gain consent, or gaining consent places a child at risk.
- Records can be accessed by, and information may be shared with local authority professionals. If there are significant safeguarding or welfare concerns, information may also be shared with a family proceedings Court or the police. Educators are aware of information sharing processes and all families should give informed consent to the way the setting will use, store, and share information.
- Recording should be completed as soon as possible and within 5 working days as a maximum for safeguarding recording timescales.
- If a child attends more than one setting, a two-way flow of information is established between the parents/carers, and other providers. Where appropriate, comments from others (as above) are incorporated into the child's records.

Procedures

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

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

Developmental records

- Children's records will be kept on our online assessment system (Ovivio). It is designed to capture key moments of your child's learning and development, which then helps the practitioner/key person to plan new experiences and activities for your child. It is used to track, document and report children's learning from birth – 5yrs.
- Ovivio observations are written and photos are taken via electronic devices i.e. iPads. All practitioners have their own personalised log on details. Whilst in the setting all practitioners can, alter observations, update trackers etc, on the devices. The manager and deputy manager can access the system out of the setting to moderate observations, look at evidence and complete reports etc. Practitioners, only with the manager or deputy manager's express permission, can take home an authorised password protected device to complete observations on their key children and update their trackers.
- The Ovivio parent app can be downloaded on Android and iOS devices. Parents will be sent an email to join when the setting adds their contact details to the setting's Ovivio system. The app will show observational evidence, including photos and summative reports, to show their child's learning and progress. Parents can add observations from home to the system.
- Ovivio actively protect data and privacy. All data is stored on secure servers and back-ups are made in real-time.

Personal records

These may include the following (as applicable):

- Personal details – including the child's registration forms, signed consent forms and any correspondence concerning the child or family.
- Contractual matters – including a copy of the signed Terms and Conditions, the child's days and times of attendance, a record of the child's fees, any fee reminders or records of disputes about fees.
- Surrey County Council funding forms.
- Early Support & SEND – including any additional focussed intervention provided by our setting (e.g. support for behaviour, language or development that needs an SEND ISP), records of any outside agency reports, minutes of meetings held & all records pertaining to individual children's EHCP's whether granted or trying to attain.

- Family support, welfare and safeguarding concerns – including records of all welfare and protection concerns, the resulting action, meetings about the child, any Education, Health and Care Plans and any information regarding a Looked After Child.
- Correspondence and Reports – including a copy 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.
- All confidential records are either stored in a lockable cabinet or kept securely in the manager's office.
- We read any correspondence in relation to a child, note any actions and file it immediately
- We ensure that access to children's records is restricted to those authorised to see them and make entries in them, this being our manager, deputy or designated person for child protection, the child's key person, or other staff as authorised by our manager.
- We may be required to hand children's personal records to Ofsted as part of an inspection or investigation process; or to local authority staff conducting a S11 audit, as long as 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, Recording and Sharing Information Policy and Client Access to Records Policy, to the files and records of their own children.
- Our staff will not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs or permission is gained. 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 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.

Archiving children's files

- Once a child leaves, if the child is moving onto school/other setting, a copy of the summative development record and any SEN reports and ISP's (with parents/carers permission) will be given to the child's reception teacher/keyperson.
- When a child leaves our setting, we remove all paper documents from the child's personal file and place them in a plastic wallet, with the child's name and date of birth on the front and

the date they left. This is placed in an archive box, stored in a safe place for six years. After six years it is destroyed.

- If data is kept electronically it is encrypted and stored as above.
- Where there were s.47 child protection investigations or any child protection issues, we archive the file for 25 years.
- All records relating to accidents are achieved and kept until the child reaches until the age of 21 years.
- All information about the child on the Ovivio Educational system is archived.
- 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 non-attendance and the reason behind non-attendance (see our Non-attendance policy).
- Students on recognised qualifications and training, when they are observing in the setting, are advised of our Confidentiality and Client Access to Records Policy and are required to respect it.

This policy was updated on the 21st July 2026 by Susannah Townley, Manager.

This policy is due to be reviewed on the 21st July 2027.