



Safeguarding and Welfare Requirement: Information and Records

Providers must maintain records and obtain and share information to ensure the safe and efficient management of the setting, and to help ensure the needs of all children are met.

10.7 Provider Records Policy

Policy statement

Impact Montessori Nursery maintains appropriate records and documentation to support the safe, effective and lawful operation of the nursery.

Our records enable us to:

- demonstrate compliance with legal and regulatory requirements;
- manage the nursery effectively;
- safeguard children and staff;
- monitor health and safety;
- manage financial and contractual responsibilities;
- manage staff employment and suitability;
- demonstrate the quality of care and education provided; and
- provide information to authorised regulatory or statutory bodies when required.

We recognise that some provider records contain personal, confidential or commercially sensitive information. All personal information is processed in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, the Human Rights Act 1998, applicable employment legislation and other relevant legal and regulatory requirements.

We apply appropriate security measures to protect records from unauthorised access, loss, damage, alteration or inappropriate disclosure.

This policy should be read alongside our:

- Privacy Notice;
- Confidentiality and Client Access to Records Policy;
- Children's Records Policy;
- Information Sharing Policy;
- Safeguarding and Child Protection Policy;
- Staff Records and Recruitment Policy; and
- Records Retention Schedule.

1. Types of provider records

Depending on the circumstances, Impact Montessori Nursery may maintain the following records.

Registration and regulatory records

These may include:

- Ofsted registration documentation;
- registration correspondence;
- certificates and notices;
- records of notifications made to Ofsted;
- regulatory correspondence;
- inspection reports and related documentation;
- documentation demonstrating compliance with the EYFS and other applicable requirements.

Our current Ofsted registration certificate will be displayed where required.

Premises, lease and contractual records

These may include:

- lease or tenancy agreements;
- premises-related documentation;
- contracts with suppliers and service providers;
- maintenance agreements;
- utility and service contracts;
- documentation relating to equipment and facilities;
- relevant certificates and warranties.

Contracts and commercially sensitive information will be stored securely and access will be restricted to authorised personnel.

Financial records

We maintain accurate financial records relating to the operation of the nursery, which may include:

- income and expenditure;
- invoices and receipts;
- fees and payments;
- payroll information;
- banking records;
- accounts and financial statements;
- funding and grant information;
- financial correspondence;
- records required for accounting, tax and audit purposes.

Financial records will be retained for the period required by applicable legislation, HMRC requirements, contractual obligations and our Records Retention Schedule.

Health and safety records

We maintain records necessary to monitor and manage health and safety within the nursery.

These may include:

- risk assessments;
- health and safety checks;
- inspection and maintenance records;
- fire safety records;
- equipment checks;
- accident and incident records;
- first-aid records;
- relevant training records;
- maintenance and servicing records;
- relevant health and safety guidance and procedures.

Children's accident and incident records are managed in accordance with our Children's Records Policy.

Insurance records

We maintain appropriate insurance documentation, which may include:

- Public Liability Insurance;
- Employers' Liability Insurance;
- relevant additional insurance policies;
- certificates of insurance;
- claims and related correspondence.

Current insurance certificates will be displayed where required.

2. Staff and employment records

We maintain appropriate records relating to employees and other individuals working at the nursery.

These may include:

- name and contact details;
- employment application and recruitment information;
- employment contract;
- references;
- identity and right-to-work information;
- Disclosure and Barring Service (DBS) information and relevant suitability checks;
- qualifications and training records;
- induction records;
- supervision and appraisal records;
- attendance and absence records;
- disciplinary or grievance records where applicable;
- safeguarding and suitability information where relevant;
- payroll and pension information;
- records required to meet employment, tax, pension, insurance or regulatory requirements.

Staff records are confidential and access is restricted to authorised management personnel and others who have a legitimate need to access the information.

Sensitive staff information will be handled in accordance with applicable data protection and employment requirements.

3. Individuals who have regular unsupervised contact with children

Where required, we maintain appropriate records relating to individuals who have regular unsupervised contact with children.

Depending on the person's role, these records may include:

- name;
- contact details;
- role or relationship with the nursery;
- relevant suitability information;
- DBS and other required checks;
- references;
- qualifications or training;
- information required to demonstrate compliance with safeguarding requirements.

Access to these records is restricted to authorised personnel.

4. Secure storage of provider records

All provider records are the responsibility of the management team.

The management team ensures that:

- records are stored securely;
- records are kept in an orderly and accessible manner;
- filing systems are maintained and kept up to date;
- confidential records are protected from unauthorised access;
- electronic records are stored using approved systems;
- access to electronic systems is restricted appropriately;
- records are securely backed up where necessary;
- obsolete or unnecessary records are securely destroyed or deleted.

Paper records containing confidential or personal information are stored in secure locations and locked when not in use.

Electronic records are protected using appropriate security measures, such as access controls, passwords and encryption where appropriate.

Personal information must not be stored on personal devices or unauthorised systems.

5. Confidentiality

Provider records are treated according to the nature and sensitivity of the information they contain.

Confidential information includes, where applicable:

- staff employment records;

- recruitment and suitability information;
- safeguarding-related information;
- financial information containing personal data;
- commercially sensitive contractual information;
- personal information relating to parents, children or staff.

Information will only be accessed or disclosed where there is a legitimate and lawful reason to do so.

Staff must not disclose confidential provider information to unauthorised individuals.

All staff are expected to comply with the nursery's confidentiality and data protection requirements.

6. Accuracy and record keeping

The management team ensures that records are:

- accurate;
- relevant;
- complete where necessary;
- kept up to date;
- stored securely; and
- retained for an appropriate period.

Where an error is identified, the record will be corrected appropriately without obscuring the original information where an audit trail is required.

Records must not be altered, removed or destroyed in order to conceal an incident, complaint, investigation or other matter.

7. Ofsted notifications

Impact Montessori Nursery will notify Ofsted of changes and significant events where notification is required under the applicable Early Years Foundation Stage requirements and Ofsted regulations.

This may include, where applicable:

- a change of premises or address;
- changes to premises that may affect the suitability, space or quality of childcare provided;
- changes to the registered provider's details;
- changes to the person managing the provision;
- significant events that may affect the suitability of the provider or individuals to care for children;
- serious incidents or other events for which notification is required;
- other changes or events specified in current statutory requirements.

The management team is responsible for ensuring that required notifications are made within the applicable timescales.

Where there is uncertainty about whether an event requires notification, the manager will seek appropriate advice from Ofsted or the relevant authority.

8. Display of certificates and information

Where required, Impact Montessori Nursery will display relevant documentation, including:

- Ofsted registration information;
- required insurance certificates;
- other certificates or notices that must be displayed by law or regulatory requirements.

Information displayed publicly will not contain unnecessary personal information.

9. Retention of provider records

We do not retain all provider records for the same length of time.

Records are retained in accordance with:

- applicable legislation;
- regulatory requirements;
- employment requirements;
- HMRC and financial requirements;
- insurance requirements;
- contractual obligations;
- safeguarding requirements;
- our Records Retention Schedule.

The retention period will depend on the type of record and the reason it is being retained.

Personal information will not be kept for longer than is necessary unless there is a legal or other legitimate requirement to retain it.

When records are no longer required, they will be securely destroyed, securely deleted or anonymised where appropriate.

10. Data protection and information security

Impact Montessori Nursery takes reasonable and appropriate measures to protect personal information held within provider records.

This includes protection against:

- unauthorised access;
- accidental loss;
- destruction;
- alteration;
- inappropriate disclosure;
- theft; and
- other unlawful processing.

Any suspected personal data breach must be reported immediately to the nursery manager or designated data protection lead.

The nursery will assess the incident and take appropriate action in accordance with its data breach procedures, including notifying the ICO or affected individuals where required by law.

11. Access to provider records

Access to provider records is restricted to individuals who have a legitimate reason to access them.

Depending on the record, access may be given to:

- the provider/owner;
- nursery manager;
- deputy manager;
- authorised administrative staff;
- accountants or financial advisers;
- employment or HR advisers;
- relevant inspectors or regulators;
- professional advisers;
- statutory agencies where there is a lawful basis.

Where an individual requests access to their own personal information, we will deal with the request in accordance with applicable data protection legislation and our Confidentiality and Client Access to Records Policy.

12. Sharing provider records

Provider records may be shared with another organisation where:

- we are legally required to do so;
- sharing is necessary to meet a regulatory requirement;
- sharing is necessary for safeguarding;
- sharing is required for accounting, tax or financial purposes;
- sharing is necessary for insurance purposes;
- sharing is necessary to fulfil a contractual obligation;
- sharing is necessary to obtain professional advice; or
- another lawful basis for sharing applies.

We will only share information that is relevant and necessary for the specific purpose.

13. Business continuity and access to records

The nursery will take reasonable steps to ensure that essential records remain available in the event of:

- loss of premises;
- equipment failure;
- cyber incident;
- fire or flood;
- loss of paper records;
- other significant disruption.

Important electronic records will be backed up using appropriate secure systems where necessary.

14. Responsibilities

The provider and management team are responsible for ensuring that:

- appropriate records are maintained;
- records are accurate and up to date;
- records are stored securely;
- staff understand their confidentiality responsibilities;
- required Ofsted notifications are made;
- retention periods are followed;
- records are securely destroyed when no longer required;
- data protection incidents are dealt with appropriately.

All staff are responsible for following the nursery's record-keeping, confidentiality and data protection procedures.

Legal framework

This policy is based on applicable legislation and regulatory requirements, including:

- UK General Data Protection Regulation (UK GDPR);
 - Data Protection Act 2018;
 - Human Rights Act 1998;
 - Children Act 1989;
 - Children Act 2004;
 - applicable Early Years Foundation Stage (EYFS) statutory framework;
 - relevant employment legislation;
 - relevant health and safety legislation;
 - HMRC and financial record-keeping requirements;
 - applicable Ofsted requirements.
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Further guidance

- Information Commissioner's Office (ICO) – Data protection guidance.
- Current Early Years Foundation Stage (EYFS) statutory framework.
- Ofsted guidance for early years providers.
- Local safeguarding partnership procedures and guidance.
- HMRC guidance on business and financial record keeping.

Policy review and approval

This policy was adopted by: Impact Montessori Nursery

Date adopted: _____

Date of last review: _____

Date to be reviewed: _____

Signed on behalf of the provider: _____

Name of signatory: _____

Role of signatory: _____