



Committee Member Confidentiality and Data Protection Responsibilities

Eligibility as a Committee Member

In order to be a member of the committee it is expected that proof of a clear Disclosure and Barring Service Check (DBS) is provided and the committee member registers with Ofsted.

To ensure this is provided as soon as possible without undue delay:

- Members will access the online DBS service to complete the form. A link to the appropriate website and guidance will be provided by the pre-school.
- Payment for the DBS will be reimbursed upon receipt of payment to the Treasurer.
- On successful completion of the DBS check, the committee member will share the DBS document with the pre-school Chair/Manager so that the unique reference number, date received, and type of enhancement can be documented and kept on file.
- If a DBS form is not completed for submission with ID checked within 28 days, the committee member will be asked to leave the committee, as it is a legal requirement that all committee members hold an enhanced DBS check.
- When DBS clearance has been received, the committee member must register with Ofsted Online Services website and complete an EY2 form. Guidance on how to complete this will be provided by the pre-school.

Non-eligibility for Committee Members

Members will not be eligible to remain on the committee if:

- They are absent without management committee permission from all meetings held within a period of 6 months and the management committee resolves that their office be vacated.
- They engage in misconduct that results in bringing the organisation into disrepute.
- They fall into one of the following categories (following Charity Commission guidelines):
 - They have been convicted at any time of any offence involving deception or dishonesty unless the conviction is legally regarded as spent.
 - They are an undischarged bankrupt, or have made a composition with creditors and have not been discharged, or have failed to make payments under a County Court Administration Order.
 - They have at any time been removed by the Commissioners or by the Court of England and Wales or Scotland from being a trustee because of misconduct.
 - They are disqualified from being a company director.

Confidential Information

- During time in office as a trustee or committee member, an individual may be party to confidential information concerning the children, families, staff, setting users and the setting's financial position. Any information received as a result of a position as a committee member must remain confidential.

- Confidential issues must not be discussed with parents, or any other individual not connected with the setting, unless agreed by the committee. This includes that during and after their term of office, the trustee or committee member must not disclose or allow the disclosure of any confidential information (except in the proper course of their membership of the committee).

Data Protection

Trustees and committee members must ensure that they do not breach the Data Protection Regulations (GDPR) (2018), which protect the rights of persons about whom personal data is processed, e.g. children, practitioners and volunteers.

The GDPR set out seven key principles that must be complied with and lie at the heart of St Marks Preschool’s approach to the collection, use, storage and protection of personal data. These principles require that personal data will be processed to ensure:

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Integrity and confidentiality (security)
- Accountability

Committee Access to Records and Responsibilities

Within St Marks Pre-school, trustees and committee members will have designated roles that will allow them access to confidential records. Specific responsibilities will include:

- Health and Safety Representative. Access to risk assessments and accidents and incidents audits.
- Staff Representative. Access to practitioner files, including sickness, holiday and pay records.
- Treasurer. Access to all the setting’s financial records, including fees and monitoring debt.
- Chair. Access to practitioner, financial and safeguarding files.
- Vice-Chair. Access to practitioner and financial files in the event of the Chair’s absence.

This policy was adopted at a meeting of the pre-school held on (date)

Signed on behalf of the pre-school

Also see: E-safety
Privacy Notice

Information Sharing
Safeguarding

Maintenance Storage and Transfer of Records
Whistleblowing