

## 26- General Data Protection Regulation Policy

### Statement

GDPR stands for General Data Protection Regulation and replaces the previous Data Protection Directives that were in place. It was approved by the EU Parliament in 2016 and comes into effect on 25th May 2018.

GDPR states that personal data should be 'processed fairly & lawfully' and 'collected for specified, explicit and legitimate purposes' and that individual's data is not processed without their knowledge and are only processed with their 'explicit' consent. GDPR covers personal data relating to individuals. Woodentops Pre-school is committed to protecting the rights and freedoms of individuals with respect to the processing of children's, parents, visitors and staff personal data.

The Data Protection Act gives individuals the right to know what information is held about them. It provides a framework to ensure that personal information is handled properly. Woodentops Pre-school is registered with the ICO (Information Commissioners Office). The Certificate is on display on the parent's information board in the entrance hall.

### GDPR includes 7 rights for individuals.

#### 1) The right to be informed

Woodentops Pre-school is a registered Childcare provider with Ofsted and as so, is required to collect and manage certain data. We need to know parent's names, addresses, telephone numbers, email addresses, date of birth and National Insurance numbers. We need to know children's' full names, addresses, date of birth and Birth Certificate number. For parents claiming the free nursery entitlement we are requested to provide this data to Central Bedfordshire Council; this information is sent to the Local Authority via a secure electronic file transfer system. We are required to collect certain details of visitors to our pre-schools. We need to know visitors' names, telephone numbers, addresses and where appropriate company name. This is in respect of our Health and Safety and Safeguarding Policies. As an employer Woodentops Pre-school is required to hold data on its employees; names, addresses, email addresses, telephone numbers, date of birth, National Insurance numbers, photographic ID such as passport and driver's license, bank details. This information is also required for Disclosure and Barring Service checks (DBS) and proof of eligibility to work in the UK. This information is sent via a secure file transfer system to UKCRBs for the processing of DBS checks.

#### 2) The right of access

At any point an individual can make a request relating to their data and Woodentops Pre-school will need to provide a response (within 1 month). Woodentops Pre-school can refuse a request, if we have a lawful obligation to retain data i.e. from Ofsted in relation to the EYFS, but we will inform the individual of the reasons for the rejection. The individual will have the right to complain to the ICO if they are not happy with the decision.

#### 3) The right to erasure

You have the right to request the deletion of your data where there is no compelling reason for its continued use. However Woodentops Pre-school has a legal duty to keep children's and parents details for a reasonable time\*, Woodentops Preschool will retain these records for 3 years after leaving pre-school, children's accident and injury records for 19 years (or until the child reaches 21 years), and 22 years (or until the child reaches 24 years) for Child Protection records. Staff records must be kept for 6 years after the member of leaves employment, before they can be erased. This data is archived securely onsite and shredded after the legal retention period.

#### 4) The right to restrict processing

Parents, visitors and staff can object to Woodentops Pre-school processing their data. This means that records can be stored but must not be used in any way, for example reports or for communications.

#### 5) The right to data portability

# Woodentops Preschool

Woodentops Pre-school requires data to be transferred from one IT system to another; such as from the Pre-school to the Local Authority. These recipients use secure file transfer systems and have their own policies and procedures in place in relation to GDPR.

6) The right to object

Parents, visitors and staff can object to their data being used for certain activities like marketing or research. (We do not use data for these purposes)

7) The right not to be subject to automated decision-making including profiling.

Automated decisions and profiling are used for marketing based organisations. Woodentops Pre-school does not use personal data for such purposes.

## Storage and use of personal information

All paper copies of children's and staff records are kept in a locked filing cabinet in Woodentops Pre-school. Members of staff can have access to these files, but information taken from the files about individual children is confidential, these records remain on site at all times. These records are shredded after the retention period. Information about individual children is used in certain documents, such as, a weekly register, medication forms, referrals to external agencies and disclosure forms. These documents include data such as children's names, date of birth and address. These records are shredded after the relevant retention period.

Woodentops Pre-school collects personal data every year including; names and addresses of those on the waiting list. These records are deleted if the child does not attend or added to the child's file and stored appropriately. Information regarding families' involvement with other agencies is stored both electronically on an external hard drive and in paper format, this information is kept in a locked filing cabinet. These records are shredded after the relevant retention period. Upon a child leaving Woodentops Pre-school and moving on to school or moving settings, data held on the child may be shared with the receiving school. Such information will be sent via the post service or via a secure file transfer system.

For children attending school outside Central Beds Council the parent/carer will be given the data to deliver to the receiving school.

Woodentops Pre-school uses photographs in the children's journals, unless we receive a written objection. No names are stored with images in photo albums, displays, and no children's faces will appear on website or on Woodentops Pre-school's social media sites.

Access to Office computers is limited and password protected. Any portable data storage used to store personal data, e.g. USB memory stick, are password protected and/or stored in a locked filing cabinet.

## GDPR compliant means that Woodentops Pre-school must;

- \* Manage and process personal data properly.
- \* Protect the individual's rights to privacy.
- \* Provide an individual with access to all personal information held on them.

This policy was adopted on	25 <sup>th</sup> March 2019
Policy reviewed	1/1/22
Date for review	Jan 23