



## 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 individuals data is not processed without their knowledge and are only processed with their 'explicit' consent. GDPR covers personal data relating to individuals. Scotter Pre-school and Out of School Club 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.

Scotter Pre-school and Out of School Club is registered with the ICO (Information Commissioners Office) under registration reference: Z2384643 and has been registered since 24<sup>th</sup> September 2010. Certificates are on display on the Scotter Pre-school and Out of School Club's parent's information board.

### **GDPR includes 7 rights for individuals**

#### **1) The right to be informed**

Scotter Pre-school and Out of School Club 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 Lincolnshire County 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 visits names, telephone numbers, addresses and where appropriate company name. This is in respect of our Health and Safety and Safeguarding Policies.

As an employer Scotter Pre-school and Out of School Club 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 Embed for the processing of DBS checks.

## 2) The right of access

Scotter Pre-school and Out of School Club is a company registered with Ofsted in England & Wales. Registration No: RP904689. Registered Office: Scotter Village Hall, Scotton Road, Scotter, Gainsborough, Lincolnshire, DN21 3SB

At any point an individual can make a request relating to their data and Scotter Pre-school and Out of School Club will need to provide a response (within 1 month). Scotter Pre-school and Out of School Club 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 Scotter Pre-school and Out of School Club has a legal duty to keep children's and parents details for a reasonable time\*, Scotter Pre-school and Out of School Club 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 offsite and shredded after the legal retention period

## 4) The right to restrict processing

Parents, visitors and staff can object to Scotter Pre-school and Out of School Club 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

Scotter Pre-school and Out of School Club requires data to be transferred from one IT system to another; such as from Scotter Pre-school and Out of School Club 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.

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

Automated decisions and profiling are used for marketing based organisations. Scotter Pre-school and Out of School Club 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 Scotter Pre-school and Out of School Club. Members of staff can have access to these files but information taken from the files about individual children is confidential and apart from archiving, 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 sometimes address. These records are shredded after the relevant retention period.

Scotter Pre-school and Out of School Club collects a large amount of personal data every year including; names, addresses, dates of birth, parents' names, addresses and emergency contact information of those on the waiting list. These records are shredded 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 Scotter Pre-school and Out of School Club and moving on to school or moving settings, data held on the child may be shared with the receiving school. Such information will be given by hand. For children attending school or transferring preschool outside the local area, the parent/carer will be given the data to deliver to the receiving school/early years setting.

Scotter Pre-school and Out of School Club stores personal data held visually in photographs or video clips or as sound recordings, unless written consent has been obtained via the Registration form. No names are stored with images in photo albums, displays, on the website or on Scotter Pre-school and Out of School Club's social media sites.

Access to all Office computers is password protected. When a member of staff leaves the company these passwords are changed in line with this policy and our Safeguarding policy. 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 means that Scotter Pre-school and Out of School Club 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 has been approved and adopted by Scotter Preschool/OOSC.

Date written: ...May 2018.....Date to be reviewed:.....May 2019.....

Signed

Committee representative:.....Date:.....

Preschool Manager:..... Date:.....

OOSC Supervisor:.....Date:.....

\* please see attached Preschool Learning Alliance Retention periods for records.