



# General Data Protection Regulation Policy

## Statement

This policy is to replace Acorns 'Record Keeping' Policy.

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 is only processed with their 'explicit' consent. GDPR covers personal data relating to individuals. Alderton Acorns Preschool Toddler and Baby Group is committed to protecting the rights and freedoms of individuals with respect to the processing of children's, parent's, visitor's 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.

Alderton Acorns Preschool Toddler and Baby Group is registered with the ICO (Information Commissioners Office) and has been since 18<sup>th</sup> January 2011 under the registration reference: Z2476048 with renewal date 17<sup>th</sup> January 2020

\*Within this policy, Acorns represents (Alderton Acorns Preschool Toddler and Baby Group)

\*Within this policy, site refers to the building in which Alderton Acorns Preschool Toddlers and Baby Group operates from.

\*Within this policy, setting refers to Alderton Acorns Preschool Toddler and Baby Group as a general term

The designated Data Protection Lead is ~~Becky Baker Play Leader Manager~~

GDPR includes 7 rights for individuals

- 1) The right to be informed

Alderton Acorns Preschool Toddler and Baby Group 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, dates of birth and verify Birth Certificates. For parents claiming the free nursery entitlement we are requested to provide this data to Gloucestershire County Council; this information is sent to the Local Authority via their GDPR compliant website.

We are required to collect certain details of visitors to our pre-schools. We need to know visitor's names, telephone numbers, addresses and where appropriate, company name. This is in respect of our Health and Safety and Safeguarding Policies.

As an employer, Alderton Acorns Preschool Toddler and Baby Group 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.

All data connected to ~~pay-rolle~~ payroll is handled by PATA (UK) using password protected emails. PATA (UK) conforms to GDPR regulations. All accounts are emailed to the settings Accountant using password protection.

## 2) The right of access

At any point an individual can make a request relating to their data and Acorns will need to provide a response (within 1 month). Acorns 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. Consent forms signed by parents/carer/guardians on admission state clearly lawful obligations in relation to data.

The individual will have the right to complain to the ICO if they are not happy with the decision. Contact information is available on the certificate displayed on the parent's board.

## 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, Acorns has a legal duty to

keep children's and parent's details for a reasonable time, Acorns 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 staff leaves employment, before they can be erased. This data is archived securely and shredded after the legal retention period. There is a full Risk Assessment in place for storage and transportation. A copy of this Risk Assessment is attached.

#### 4) The right to restrict processing

Parents, visitors and staff can object to Acorns processing their data. This means that records can be stored but must not be used in any way, for example reports or for communications unless safeguarding or other welfare issues require.

#### 5) The right to data portability

Acorns requires data to be transferred from one IT system to another; such as from Acorns to the Local Authority. These recipients use secure file transfer systems and have their own policies and procedures in place in relation to GDPR. When working in conjunction with other Early Years Settings which require shared data, it is delivered via post or verbal communication with parental permission. If any information must be electronically delivered it will be through password protected emails.

#### 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. Acorns 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 cabinet which when Acorns is open is in the main hall, when closed, stored in a locked storage area.

Members of staff can have access to these files but information taken from the files about individual children is confidential and kept on site. If it is required to be removed from site, the transportation of data risk assessment is applied. 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.

### **Communication**

As a setting, communication is vital to ensure all families are kept informed. Acorns will ensure that a full list of email addresses is held by only the ~~Playleader~~ Manager and Treasurer. Consent forms are completed on admission (a revised one for existing families May 2018) explaining the importance of this. All communications are sent using blind copy to ensure data protection.

Acorns is run by a committee of parents/carers/individuals from the community these contact details are used within the committee circle, with consent of the members.

### **Electronic Storage/Safety**

Due to restrictions within the setting itself, there are times when information is completed on devices off site. These devices are password protected.

### **Committee**

A Google drive has been created to store all committee data, with all archive information that can be scanned being stored on it. The Google Drive conforms to all GDPR regulations. All archived data that is unable to be scanned is stored in a locked area on site for the legal retention period then shredded.

All data once passed its retention period is shredded on site.

This policy was updated (revision 1)

On 24<sup>th</sup> May 2018

Review date: December 2019

Signed on behalf of the provider

Name of signatory Alan Mitchell

Role of signatory (chair)

Data Protection Lead