General Data Protection Regulation (GDPR)

Data Audit - Children

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| **Document** | **Data Recorded** | **Lawful / Legal Basis for Recording Data** | **Data Sharing** | **Data Storage** | **Data Retention** | **Data Destruction** |
| Accident, Injury and First Aid recording | Child’s personal information, Staff names and Parent name and signature | Legal obligationRequirement of statutory framework: EYFS 2017 and Childcare Register 2016 | On Request with other agencies - e.g. Ofsted, LSCB, LA, GP, HV or Emergency Services | Completed forms signed and stored in locked filing cabinet and periodically archived securely within the nursery | For 3 years after the child has left the provision, or until the next Ofsted inspection after the child has left the setting (whichever is soonest) | Documents either deleted or shredded after the required length of time. |
| Accounts / HMRC | Invoices for parents, Child’s name and booked in sessions, Business expenses including purchase receipts | Legal obligation required by HMRC | On request by HMRC | All documentation stored either electronically or in a locked filing cabinet and periodically archived securely within the nursery | For at least 5 years after the 31st January submission deadline of the relevant tax year | Documents either deleted or shredded after the required length of time.  |
| Attendance Register | Child’s name and date of birth, Child’s arrival and departure time, reasons for absence | Legal obligation- Requirement of the statutory framework: EYFS 2017 and Childcare Register 2016 | On Request with other agencies – e.g. Ofsted, LSCB, LA or HMRC | The current week is stored in the relevant room in line with fire safety procedures. All documentation then stored either electronically or in a locked filing cabinet and periodically archived securely within the nursery | For 3 years after the child has left the provision, or until the next Ofsted inspection after the child has left the setting (whichever is soonest) | Documents deleted after required length of time |
| Child Record and Emergency Contact slips | Information of child and emergency contact details from parents including family or friends | Legal obligation- Requirement of the statutory framework: EYFS 2017Family and friends contact details covered by legal basis of ‘consent’ |  The document may be shared with other agencies including Ofsted | All documentation stored either electronically or in a locked filing cabinet  | Until a child has left the setting | Documents deleted after the required length of time |
| Complaints Records | Child/family details, provider details | Legal obligation- Requirement of the statutory framework: EYFS 2017 and Childcare Register 2016 | The document may be shared with other agencies including Ofsted | Stored in complaints folder | At least 3 years from the date of the last record | Documents shredded the required length of time |
| Concerns about a Child | Sensitive information on child or families, parents name and child’s name | Legal obligation – requirement of the statutory framework EYFS 2017 and Limitation Act 1980 | The document may be shared with other agencies including Ofsted | All documentation stored either electronically or in a locked filing cabinet  | Until a child is 25, or for Looked After Children 75 years | Documents will be shredded after the required length of time |
| Childcare Contracts | Contract details between parent and provider. Sensitive details of child and families including parent and provider signatures | Insurance requirement and Legal obligation – requirement of the statutory framework of both EYFS 2017 and Childcare Register 2016 | The document may be shared with other agencies including Ofsted and HMRC | All documentation stored either electronically or in a locked filing cabinet | For at least 5 years after the 31st January submission deadline for relevant tax year | Documents will be shredded after the required length of time |
| Notification to terminate contract | Personal child and family details and signature and staff name | Legitimate interest as best practice to finalise contract. Contractual necessity of data retention. | This document may be shared with other agencies including Ofsted | All documentation stored either electronically or in a locked filing cabinet | Until a child is 21  | Documents will be shredded after the required length of time |
| Existing injuries record | Details of child’s injuries from home or other setting. Includes personal details, parents and setting signatures and other setting details | Legitimate interests as required to support the child’s health and safety | The document may be shared with other agencies including Ofsted | Stored along with accident forms | Until a child is 21  | Documents will be shredded after the required length of time |
| Illness Record | Child illness information, family and other setting details | Legitimate interests as required to support the child’s health and safety | Document may be shared with other agencies including Ofsted | All documentation stored either electronically or in a locked filing cabinet | For 3 years after the child has left the provision, or until the next Ofsted inspection after the child has left the setting (whichever is soonest) | Documents will be shredded after the required length of time |
| Incident RecordReportable death, injury, disease or dangerous occurrence | Personal child and family details, signatures of parent and settingPersonal child and family details, signatures of parent and setting | Legal obligation as required by the statutory framework of EYFS 2017Legal obligation as required by The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (SI1995/3163) (as amended) | Documents may be shared with other agencies including OfstedDocuments may be shared with other agencies including Ofsted | Stored along with accident formsAll documentation stored either electronically or in a locked filing cabinet | Until a child is 21 Until a child is 21 | Documents will be shredded after the required length of timeDocuments will be shredded after the required length of time |
| Informing Ofsted about changes / Ofsted notifications | Changes to Provider DetailsAs required in the Compliance Handbook | Legal obligation as required by the statutory framework of the EYFS 2017 and Ofsted Requirements | Documents may be shared with other agencies including Ofsted | All documentation stored either electronically or in a locked filing cabinet | Three years or until next Ofsted inspection | Documents will be shredded after the required length of time |
| Learning and Development information | All About Me, Starting points, photos, progress tracking, observation assessments of learning and development, two year checks, termly reports | Legal obligation as required in statutory framework of EYFS 2017 and legitimate interest in Inspection Handbook as allow provider to track development effectively. Photo consent can be withdrawn at any time | May be shared with other agencies including Ofsted and other settings | All About Me stored in cupboard in playroomOther documents stored either electronically or in a locked filing cabinet | Until a child starts school or leaves to attend a new setting.SEND records will be kept until a child reaches 25. | Documents will be given to the parents when the child leaves |
| Local Authority Funding form | Child and family personal information including NI details, two year and EYPP codes and proof of DOB | Contractual obligation as required by LA for funding requirements | May be shared with other agencies included | All documentation stored either electronically or in a locked filing cabinet | Three years as requested by Local Authority | Documents will be shredded after the required length of time |
| Local Safeguarding Record Forms | CR 8 or CR 10May have child or family personal information | Legal obligation as per EYFS 2017 and LSCB requirements | Documents may be shared with other agencies including Ofsted and LSCB | All documentation stored in a locked drawer in the office | For records with resulted in a Child Protection referral or Child In Need referral - until a child is 25, or 75 for Looked After Children. For records which resulted in a referral being made to CAF or other early help support service then 6 years from the time referral made, or 75 years for Looked After Children | Documents will be shredded after the required length of time |
| Medication Administration record | Personal details of child, parents and setting signatures | Legal obligation required under statutory framework of EYFS 2017 | Document may be shared with other agencies including Ofsted | Stored in locked filing cabinet and periodically archived securely within the nursery | Until a child is 25  | Documents will be shredded after the required length of time |
| Permission forms | Child and parent names and signatures of parent and setting | Legal obligation under the EYFS 2017 statutory framework plus legitimate interests to provide high quality setting and photo permission can be withdrawn at any time | Document may be shared with other agencies including Ofsted | Stored in locked filing cabinet and periodically archived securely within the nursery | Until a child is 21 years and 3 months | Documents will be shredded after the required length of time |
| Physical Intervention record | Personal details about child and parent and setting signatures | Legal obligation as required by the statutory framework EYFS 2017 | Document may be shared with other agencies including Ofsted | Stored in locked filing cabinet and periodically archived securely within the nursery | Until a child is 21 years and 3 months | Documents will be shredded after the required length of time |
| Policies and procedures – acknowledgement of receipt | Parent confirmation that policies have been read and understood. Child details and parent and setting signatures | Legitimate interest and Legal obligation as required under the EYFS 2017 and Childcare Register 2016 | Document may be shared with other agencies including Ofsted | Stored in locked filing cabinet and periodically archived securely within the nursery | 5 years after a child leaves or until next Ofsted inspection | Documents will be shredded after the required length of time |
| Visitor log | Date of visit, visitor name, reason for visit and times arriving and departing | Lawful basis to safeguard & protect children | Document may be shared with other agencies including Ofsted | Stored on table at entrance of Nursery | 5 years or until next Ofsted inspection | Documents will be shredded after the required length of time |
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\*If a concern is identified that legal action may be instigated, all relevant information will be retained until the child reaches the age of 25.