Tots 2 Toddlers

General Data Protection Regulation Policy

Intent of Policy

GDPR stands for General Data Protection Regulation and replaces the previous Data Protection Act 1998 that was 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. Tots 2 Toddlers 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 GDPR gives individuals the right to know what information is held about them. It provides a framework to ensure that personal information is handled properly.

GDPR Policy includes 7 rights for individuals

1) The right to be informed - Tots 2 Toddlers 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 Birth Certificate number. For parents claiming the free nursery entitlement we are requested to provide this data to Hampshire City 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 Nursery. We need to know visitor’s names, reason for visit and where appropriate company name. This is in respect of our Health and Safety and Safeguarding Policies. As an employer Tots 2 Toddlers 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 Ucheck for the processing of DBS checks.

2) The right of access - Tots 2 Toddlers Ltd is a company registered with Ofsted: EY480412 Registration Number. At any point an individual can make a request relating to their data and Tots 2 Toddlers will need to provide a response (within 1 month). Tots 2 Toddlers 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) You have the right to request the deletion of your data where there is no compelling reason for its continued use. However, Tots 2 Toddlers has a legal duty to keep children’s and parent’s details for a reasonable time\*, (for example Tots 2 Toddlers retain the attendance register for 3 years after leaving the setting, children's incidence records until they are 21, and until they are 25-75 years old for Child Protection records. Staff personnel files must be kept for 6 years after the member of leaves employment, before they can be erased.) This data is archived securely onsite and deleted/shredded after the legal retention period. 4) The right to restrict processing - Parents, visitors and staff can object to Tots 2 Toddlers 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 - Tots 2 Toddlers requires data to be transferred from one IT system to another; such as from Tots 2 Toddlers to the Local Authority, to shared settings and to Tapestry Online Learning Journal. 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. Tots 2 Toddlers does not use personal data for such purposes.

Implementation of policy:

Storage and use of personal information

All paper copies of children's and staff records are kept in a locked office and a locked filing cabinet. Members of staff can have access to these files, but information taken from the files about individual children is confidential and 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.

Tots 2 Toddlers collects a large amount of personal data every year including; names and addresses 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 in paper format, this information is kept in a locked office and in a locked filing cabinet. These records are shredded after the relevant retention period.

Upon a child leaving Tots 2 Toddlers 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 a secure email account or via post. If parents/carers request for their child’s data, this will be given for them to deliver to the receiving school.

Tots 2 Toddlers do not store personal data held visually in photographs, video clips or as sound recordings, unless written consent has been obtained. No names are stored with images in photo albums, displays, on the website or on Tots 2 Toddlers social media sites, unless consent has been given.

Access to all Office computers and Tapestry Online Learning Journal is password protected. When a member of staff leaves the company, these passwords are changed. 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 Tots 2 Toddlers 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

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

Data held is audited annually.

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| Review Date: | Signed: | Next Review Due: |
| 01/09/2021 | H Waller | 01/09/2022 |