

**GDPR and Data Protection policy**

**Statement of Intent**

Our setting is committed the promoting and protecting the welfare of young children.

**Aims**

To operate effectively, the pre-school needs to collect and use information about staff, children and parents who come into the pre-school. The pre-school is also obliged to collect and use personal information in order to satisfy its obligations to Ofsted and other regulatory bodies.

In the collection, storage and use of this information, Brislington Village Pre-School Ltd recognises its responsibility to comply with the GDPR (General Data Protection Regulation), which came into effect 25 May 2018, which regulates the use of personal data and focusses on consumers rights and put’s their needs first.

This responsibility is not restricted to sensitive data but applies to all data, including names, dates of birth and addresses.

**GDPR (2018)**

The Act establishes very high standards for the handling of personal information, thereby protecting individual rights to privacy. The Act regulates how personal information is collected, handled, stored and used and applies equally to personal information held both electronically and on paper.

**Methods**

Brislington Village Pre-school has notified the Information Commission Office (ICO) that it holds personal data about individuals (Reference Number ZA205826).

GDPR includes 7 rights for individuals-:

***The right to be informed***

* Parents and staff will be informed what data we collect, what we are going to do with it and who it is shared with.

***The right of access***

* Parents and staff can request access to their own data at any time.

This setting will reply to subject access requests within 7 days.

***The right of rectification***

* Personal data will be rectified if it is incorrect or incomplete.

***The right to erasure***

* Parents and staff can request deletion of their data where there is no compelling reason for its continued use. However some records have to be retained for specified periods of time.

***The right to restrict processing***

* Parents and staff can object to the processing of their data. This means that their records can be stored, but must not be used in anyway.
* If this is requested we will be unable to use any individual’s information in reports, or for communications.
* ***The right to data portability***
* Data is able to be transferred from one IT system to another if necessary or requested.

***The right to object***

* Parents and staff can object to their data being used for certain activities i.e. marketing or research. The objection must relate to a specific situation.

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

* This right is generally only applicable to marketing based organisations.

**Access to Information**

Access to information within the pre-school will only be to the extent required by the task being undertaken and will also be restricted to those persons recognised by the Director or Manager as requiring such access to information in the course of their duties and responsibilities.

In the event of any breach of information security, no matter how minor, it must immediately be reported to the manager to enable appropriate investigation and, if necessary a review of the adequacy of existing information security measures.

It is understood and accepted that all staff and other individuals have the right to access any personal information which is being processed or stored and is directly relevant to them.

Similarly, all parents, or where appropriate a person legally acting on a child’s behalf, have the right to access information held on computerised or manual records and which relates to themselves or their child.

This settings lead on GDPR is Gill Hutton.

This policy was adopted at a meeting on 15th May 2018

Reviewed September 2023

This policy should be read in conjunction with our

Confidentiality policy

Famly policy

Retention of records policy

Special Educational Needs policy

Although under constant review, an overall review date has been set for **September 2024**

**Appendix A**

**Data held**

|  |  |  |  |
| --- | --- | --- | --- |
| Type of data | Where held | Who has access | When destroyed |
| Registration form | Locked Filing cabinet | Manager  Administrator | 3 years after child has left setting |
| Medicinal forms | Staff unit –stored in locked cupboard when setting is closed | All staff on a need to know basis | 3 years after child has left the setting |
| Accident forms | Locked filing cabinet | Manager  Administrator | Accident report books are kept 40 years from date of accident  Accident forms 3 years after the children has left the setting unless a serious accident when it will be kept with the accident report book for 40 years |
| Daily Register | Staff unit – in locked cupboard when the setting is closed | All staff | 3 years after the children have left the setting |
| Behaviour/Incident forms | Locked filing cabinet | Manager  Administrator  Keyworker | 3 years after child has left the setting |
| Child Protection reports | Locked filing cabinet | Manager  Staff on a need to know basis | 3 years after child has left the setting |
| Famly online | Online password protected | All Practitioners when at the setting  Manager and Deputy Manager have unlimited access | 90 days after journal has been closed |
| Transition forms completed when a child moves to reception | Staff unit – locked in cupboard when the setting is closed | Keyworkers have access to the transition forms for their children | Transition forms are completed once a year and taken to a meeting and handed over to the appropriate school for the child |
| Funding forms | Locked filing cabinet | Manager  Administrator | 3 years after child has left the setting |
| LA funding portal online | Online password protected | Administrator | As soon as the child has left the setting |
| Staff personal details (paper records) | Locked filing cabinet | Manager  Administrator | 7 years after staff have left the setting |
| Staff personal details online  (For use in running of payroll) | Password protected | Manager  Administrator | Immediately after leaving the setting |