



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. Lavington Pre-school 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.

Lavington Pre-school is registered with the ICO (Information Commissioners Office) under registration reference: Z7825418 and has been registered since 26th September 2003.

GDPR includes 7 rights for individuals:

- The right to be informed

Lavington Pre-school 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 and email addresses. We need to know children's' full names, addresses, date of birth and to have seen a Birth Certificate. For parents claiming the free nursery entitlement we are requested to provide this data to Wiltshire Council; this information is sent to the Local Authority via a secure electronic portal.

We are required to collect certain details of visitors to our pre-schools. We need to know visitors names and where appropriate company name.

As an employer Lavington Pre-school is required to hold data on its employees; names, addresses, email addresses, telephone numbers, date of birth, National Insurance numbers and 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 UKCRBs for the processing of DBS checks.

- The right of access

At any point an individual can make a request relating to their data and Lavington Pre-school will need to provide a response (within 1 month). Lavington Pre-school 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.

- 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 Lavington Pre-school has a legal duty to keep children's and parents details for a reasonable time*, Lavington Preschool 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 and shredded after the legal retention period.

- The right to restrict processing

Parents, visitors and staff can object to Lavington Pre-school processing their data. This means that records can be stored but must not be used in any way, for example reports or for communications.

- The right to data portability

Lavington Pre-school requires data to be transferred from one IT system to another; such as from Lavington Pre-school to the Local Authority, to shared settings and to Evidence Me and Seesaw. These recipients use secure file transfer systems and have their own policies and procedures in place in relation to GDPR.

- The right to object

Parents, visitors and staff can object to their data being used for certain activities like marketing or research.

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

Automated decisions and profiling are used for marketing based organisations. Lavington Preschool 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 office in Lavington Pre-school. 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.

Lavington Pre-school 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 both electronically and in paper format, this information is kept in a locked office. These records are shredded after the relevant retention period.

Upon a child leaving Lavington Pre-school and moving on to school or moving settings, data held on the child may be shared with the receiving school. Such information will be emailed within a password protected document.

Lavington Pre-school stores personal data held visually in photographs unless written consent has not been obtained. No names are stored with images in photo albums, displays, on the website or on Lavington Pre-school's social media sites.

Access to all Office computers and Evidence Me and Seesaw 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 Lavington Pre-school 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 [Early Years Alliance Retention periods for records](#).

The Manager and Chairperson are responsible for monitoring and evaluating the policy.

Reviewing the GDPR Policy: The Chairperson is responsible for overseeing the annual review.

The Lavington Pre-school GDPR Policy will be reviewed on:

Date: **Signed:**

Name: **Post:**

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