

NLCA, Aperdele Road, Leatherhead KT22 7QT

**General Data Protection Regulation (GDPR) Policy**

GDPR stands for General Data Protection Regulation and replaces the previous Data Protection Directives that were in place. GDPR was approved by the European Parliament in 2016 and came into effect on 25th May 2018.

GDPR states that personal data should be “processed fairly and lawfully” and collected for “specified, explicit and legitimate purposes”. GDPR states that data must not be processed or stored without the individual’s knowledge and explicit consent. All Saints Preschool is committed to protecting the rights of individuals with respect to the storage and processing of personal data – that of the children, the parents, the staff and visitors.

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.

All Saints Preschool is registered with the Information Commissioner’s Office (ICO) under registration number **ZA065541**

**GDPR includes 7 rights for individuals:**

1. **The right to be informed**

All Saints Preschool is a registered childcare provider with OFSTED and is, therefore, required to collect and manage data in order to conform with OFSTED regulations.

We need to know parents’/carers’ names, addresses, telephone numbers and email addresses. This information is held on paper forms and in our preschool email account. Emails are also stored in our Tapestry account. It can be accessed by Staff and the Committee Chair. Parent email addresses are deleted after 2 years of their child(ren) leaving the preschool and paper forms are shredded after this time.

We need to know children’s full names, addresses and dates of birth. This information is held in paper form and on our computer-based spreadsheet. The spreadsheet is fully password protected and can be accessed only by the Manager, Deputy Manager, Committee Chair and Preschool treasurer. The Treasurer has access solely for invoicing purposes.

We are sometimes required to share information with other agencies including schools, health visitors, medical professionals and social services. Permission to share information is requested on the Information Form completed when children start at preschool. Information will only be shared when there is a legal requirement for us to do so or when it is in the child’s best interest.

In order to claim funding from Surrey County Council, we are required to share this information with them. For those accessing extended funded hours, we are also required to provide parents’ National Insurance Numbers. This information is entered onto a secure, password protected online portal on a termly basis. Surrey County Council require us to keep and store funding forms for 7 years. These are kept in a locked cupboard or locked filing cabinet at preschool.

Any visitor to the preschool is required to sign in and provide their name and, if applicable, company name along with the reason for their visit. This is for Health and Safety and Safeguarding purposes.

As an employer, All Saints Preschool is required to hold data on employees. We record their full name, date of birth, National Insurance Number, photographic i.d. and bank details along with copies of qualification certificates. This information is shared with the Disclosure and Barring Service (DBS) and with out payroll accountant, preschool Chair and the Treasurer. The information is kept in a locked cupboard at preschool and in a locked cupboard at the Committee Chair’s home.

1. **The right of access**

All Saints Preschool is registered at Companies House under registration number 08022458 and a registered charity under registration number 1021414

Our registered business address is 5 Devitt Close, Ashtead KT21 1JS and we operate at NLCA, Aperdele Road, Leatherhead KT22 7QT

At any point an individual can make a request to know exactly which information is held about them and their child and how it is used and stored. All Saints Preschool is required to respond to such a request within 1 calendar month.

Individuals can complain to the ICO if they are not happy about the information held and how it is stored or processed.

1. **The right to erasure**

Individuals have the right to request the deletion of their data where there is no compelling reason for its continued use or storage. However, there is a statutory requirement for All Saints Preschool to retain certain information for specified time periods.

Accident and injury forms must be kept until the child reaches 21 years of age.

Child Protection/Safeguarding records go with the child to a new setting or to school. If we have no details of where a child has moved to, we will keep these records in a locked box until the child reaches 24 years of age.

Staff records must be retained for 6 years after the staff member leaves employment.

Surrey County Council funding forms must be retained for 7 years after their completion.

This information is stored in a locked filing cabinet at preschool. Safeguarding and Child Protection information is stored in a locked box inside a locked cupboard and can be accessed only by the Manager, Deputy, the DSL and Deputy DSL and the Committee Chair.

Once the child leaves preschool all information held, except that specified above, is deleted and destroyed after 2 years.

1. **The right to restrict processing**

Individuals have the right to object to their data being used if the purpose is not clear and if there is no statutory requirement for its use

1. **The right to data portability**

All Saints Preschool require data to be transferred from one IT system to another. For example, the Tapestry online learning journal or the Surrey County Council online portal.

This process is secure and password protected at both ends. The recipients have their own policies in place in relation to GDPR.

Information can be emailed between staff members and the Committee Chair. These emails are password protected.

Emails between staff and Surrey County Council are sent and received via the Egress email encryption system, providing an extra layer of security.

1. **The right to object**

Parents/carers, staff and visitors can object to their data being used for certain activities such as marketing or research.

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

Automated decisions and profiling are used by marketing based organisations. All Saints Preschool does not use personal data for such purposes.

All paper copies of children’s and staff records are kept in a locked cupboard or a locked filing cabinet at the preschool.

Highly sensitive and confidential information is kept in a locked document box inside a locked cupboard.

All staff have access to the cupboard but access to the filing cabinet and document box is restricted to the Manager, Deputy Manager, DSL and Committee Chair.

We have a strict staff confidentiality policy in place.

Paper records are shredded after the statutory retention period.

Information about individual children is used during the day to day running of the preschool. In the register, accident and injury forms, personal care records, on Tapestry and in reports.

Information from Application Forms is kept until 2 years after the child has left preschool. If a child is added to the waiting list but does not start with us, their information is destroyed immediately.

When a child leaves preschool to start school, information will be shared with the school to ensure a smooth transition process. Where possible, information will be passed to the school in person or via secure email. Where this is not possible, it will be sent via recorded delivery.

Safeguarding information must be delivered by hand and a signed receipt obtained.

Access to all computers and electronic devices used by preschool staff and members of the committee is password protected. Portable devices used for Tapestry are kept on site in a locked cupboard. Occasionally, staff will take these home to complete writing up observations or reports. We have strict policies in place to protect both our staff and the data stored on these devices. No information is held on the devices themselves. It is held in the Tapestry online cloud which is very secure and password protected.

Permission for the use of photographs is requested in our Information Form when a child first starts at preschool. Parents/carers can choose how photographs of their children are used. At no time will names of children be displayed with their photographs. Parents/carers can refuse permission for photographs of their children to be used in any way at all if they prefer. Permission for use of photographs can be withdrawn by parents/carers at any time.

Where one parent/carer with parental responsibility gives permission and the other refuses, we will always go with the refusal. It would then be down to the parents/carers to reach an agreement between them.

GDPR means that All Saints Preschool must:

* Manage and access data properly
* Protect and respect the individual’s right to privacy.
* Provide the individual with access to all personal information held on them within a reasonable time limit

March 2022

To be reviewed March 2023