

Statement of intent

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 came 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. Tavistock 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 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.

Tavistock Pre-School is registered with the ICO (Information Commissioners Office) under registration reference ZA365154 and has been registered since 11th May 2018. The certificate is on display on the Health & Safety, News and Information board.

Aims

GDPR includes eight rights for individuals:

- 1) The right to be informed

Tavistock Pre-School is a registered Childcare provider with Ofsted and as so, is required to collect and manage certain data. We need to know parents and emergency contacts names, addresses, telephone numbers, email addresses, date of birth and National Insurance numbers. We need to know children's full names, addresses, date of births and Birth

Certificate numbers. For parents claiming the free nursery entitlement we are requested to provide this data to Hampshire County 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 Pre-School. We need to know visitors names, and where appropriate company names.

As an employer, Tavistock Pre-School is required to hold data on its employees; names, addresses, email addresses, telephone numbers, emergency contact names and telephone numbers, date of births, National Insurance numbers, photographic ID such as passports and driver's licenses, bank details, Disclosure and Barring Service (DBS) certificate numbers and eligibility to work in the UK.

Tavistock Pre-School uses Cookies on its website to collect data for Google Analytics, this data is anonymous.

2) The right of access

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

3) The right to rectification

The GDPR includes a right for individuals to have inaccurate personal data rectified, or completed if it is incomplete. An individual can make a request to Tavistock Pre-School for rectification verbally or in writing. Tavistock Pre-School has one calendar month to respond to a request. In certain circumstances you can refuse a request for rectification.

4) The right to erasure

The individual has the right to request the deletion of their data where there is no compelling reason for its continued use. However Tavistock Pre-School has a legal duty to keep children's and parents details for a reasonable time (according to retention periods laid out in Preschool Learning Alliance guidance). Tavistock Pre-School 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 securely on-site and professionally destroyed after the legal retention period.

5) The right to restrict processing

Parents, visitors and staff can object to Tavistock 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 unless subject to safeguarding children.

6) The right to data portability

Tavistock Pre-School requires data to be transferred from one IT system to another; such as from Tavistock Pre-School to the Local Authority, to shared settings, and to The Learning Book online Learning Journal. These recipients use secure file transfer systems and have their own policies and procedures in place in relation to GDPR.

On occasion, staff including our Bookkeeper may need to prepare paper copy reports from home. To ensure sensitive data is transferred and kept securely, Tavistock Pre-School staff adhere to our Working from Home policy.

Tavistock Pre-School also requires data to be transferred off-site to our Bookkeeper and Accountant. Data is transferred electronically through secure transfer systems.

7) The right to object

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

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

Automated decisions and profiling are used for marketing based organisations. Tavistock Pre-School does not use personal data for such purposes.

Methods

Storage and use of personal information

All paper copies of parents, children and staff records are kept in locked filing cabinets in Tavistock Pre-School. Members of staff and committee chairperson can have access to these files but information taken from the files about individual children is confidential and records remain on site at all times. These records are professionally destroyed after the retention period.

Information about individual children is used in certain documents, such as, a weekly register, medication forms, allergy forms, health care plans, referrals to external agencies, SEN assessments, IEP's and disclosure forms. These documents include data such as children's names, date of births and sometimes addresses. These records are professionally destroyed after the relevant retention period.

Tavistock Pre-School collects a large amount of personal data every year including; names, addresses, email addresses and telephone numbers of those on the waiting list. These records

are professionally destroyed if the child does not accept a place or added to the child's file and stored appropriately.

Information regarding families' involvement with other agencies is stored both electronically on an external hard drive – the computers are password protected and only members of staff and committee have access to them; and in paper format, this information is kept in a locked filing cabinet in the office. These records are professionally destroyed and deleted from our computer after the relevant retention period.

Upon a child leaving Tavistock 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 sent via Royal Mail Recorded Delivery, hand delivered to Tavistock Infant School or sent via a secure file transfer system.

Tavistock Pre-School stores personal data held visually in photographs or video clips or as sound recordings. No names are stored with images in photo albums, displays, on the website or on Tavistock Pre-Schools social media sites.

Access to all office computers and The Learning Book online Learning Journal is password protected. When a member of staff leaves the Pre-School these passwords are changed.

Any portable data storage used to store personal data, e.g. USB memory stick, are stored in a locked filing cabinet.

GDPR means that Tavistock Pre-School must:

- Have legitimate grounds for collecting and using personal data
- Be transparent about how the data is intended to be used
- 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
- Provide a Data Protection Controller: **Anthea Brophy**

Staff Responsibilities

Tavistock Pre-School must ensure that staff know and understand:

- How to manage, keep and dispose of data
- The procedures in relation to children's records, email, social media and photography, mobile technology and the pre-school website.
- When they are allowed to share information with others and how to make sure it is kept secure when shared.

Data Breaches

In the event of a personal data breach, the Data Protection Controller should be notified immediately and an investigation carried out.

Legal framework

- General Data Protection Regulation (2018)

Further guidance

- Preschool Learning Alliance Retention periods for records.