

ANGELS NURSERY – GENERAL DATA PROTECTION REGULATION STATEMENT

GDPR stands for General Data Protection Regulation. This new regulation has replaced the Data Protection Act and came into effect on the 25th May 2018.

GDPR states that personal data should be 'processed fairly and lawfully', 'collected for specified, explicit and legitimate purposes' and that the individual's data is not processed without their 'explicit consent'. GDPR covers personal data relating to individuals.

GDPR includes 7 rights for individuals:

1. The right to be informed

Angels Nursery is a registered childcare provider with Ofsted and as such, is required to collect and manage certain data. We need to know the parents' names, addresses, telephone numbers, email address, date of birth and National Insurance number. We need to know children's full names, addresses and date of birth. For parent's claiming the 30 hour funding entitlement, we are requested to provide this data to North Northamptonshire Council; the information is sent to them using a secure, electronic file transfer system.

We are required to collect certain details of visitors to nursery. We need to know names, company name (if applicable) and registration number of car. This is in respect of our Health and Safety and Safeguarding policies.

As an employer, Angels Nursery is also required to hold data on its employees; names, addresses, telephone numbers, date of birth, bank details, National Insurance numbers and photographic identification such as a passport or driving license. This information is also required for the Disclosure and Barring Service checks (DBS) that are carried out and to check proof of eligibility to work in the United Kingdom. This information is sent via a secure file transfer system, to the processor of the DBS checks.

2. The right to access

At any point, an individual can make a request relating to their data. Angels Nursery will need to provide a response to any requests, within 1 month. We can refuse a request, if there is a lawful obligation to retain the data i.e. from Ofsted, in relation to the EYFS. We will always inform the individual of the reasons for rejection. The individual has the right to complain to the ICO if they are unhappy with the decision.

3. The right to erasure

You have the right to request deletion of your data, where there is no compelling reason for its continued use. However, Angels Nursery has a legal duty to retain children and parents' details for a reasonable amount of time and are required by law, to retain children and parents' records for 3 years after the child has left the Nursery. Accident and Injury records must be kept until the child reaches the age of 21. Child protection records must be retained until the child reaches the age of 24. Staff records

must be kept for 6 years after the employment ceases. All of the data that we retain is archived securely, in a locked storage cabinet. It is shredded after the legal retention period.

4. The right to restrict processing

Parents, visitors and staff can object to Angels Nursery processing their data. This means that records can be stored, but must not be used in any way.

5. The right to share data

Angels Nursery requires some data to be shared with a third party, such as; the Local Authority and external payroll company. These recipients use secure, file transfer systems and have their own policies and procedures in place, in relation to GDPR.

6. The right to object

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

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

Angels Nursery does not use personal data for such purposes.

Storage and use of personal information

All paper copies of children and staff records are kept securely in a locked storage cabinet at the nursery. The manager has access to all records and staff has limited access.

Client records are held within our CRM software eyLog/eyMan which is cloud based and all the data is safely encrypted and backed up daily by our third-party provider. Access to the software is password protected.

Staff records are kept within a locked filing cabinet.

All records are kept on site at all times. Archived records are shredded after the retention period.

All information held, both paper and digital records will be kept confidential within the nursery. In the event of there being any wrongful disclosures of confidential information, it will be investigated immediately.

It is the parent's responsibility to ensure that the information given to us in the registration forms, are correct and kept up to date. Parents have the ability to easily update or withdraw their consent in relation to marketing initiatives, applying medication etc. at any point.

Access to all office computers and laptops as well as other software accounts including is password protected.

Any portable data storage used to store personal data, e.g. USB memory sticks and external hard drives are password protected and/or stored in secure locations.

Upon a child leaving Angels Nursery and moving on to school or a new setting, data held on the child may be shared with the receiving school/setting. Such information will be sent via Egress.

GDPR means that Angels Nursery must:

- Manage and process personal data properly.
- Protect the individual's rights to privacy.
- Provide individuals with access to all personal data that is held on them.

If any person wishes to know what information we hold on them, they should speak to our Data Processor - Theresa Collyer (Nursery Manager).

Telephone Number: 01536 519926 Email: enquiries@angels-nursery.co.uk

Data Retention

We hold information in our archive for the following amount of time, as per legal requirements:

- Staff Files 7 years
- Records of complaints 5 years
- Accident and incident forms 3 years
- Children's Information (incl. medical) 3 years
- Attendance Registers 3 years
- Staff and Child sign-in registers 3 months

Data Breach Protocol

As per GDPR requirements, data breach notification to the ICO is mandatory

If any kind of data breach were to occur Angels Nursery will be required to:

- Report certain types of personal data breach to the relevant supervisory authority (ICO). This must be done within 72 hours of becoming aware of the breach, where feasible.
- If the breach is likely to result in a high risk of adversely affecting individuals' rights and freedoms, inform those individuals without undue delay.
- Ensure we have robust breach detection, investigation and internal reporting procedures in place. This will facilitate decision-making about whether or not we need to notify the relevant supervisory authority and the affected individuals.
- Keep records of any personal data breaches, regardless of whether you are required to notify.