

Information Privacy Policy

Created May 2018

**General Data Protection Regulation**

**Policy statement**

The General Data Protection Regulation (GDPR) is a new EU law coming into effect on 25th May 2018 replacing the current Data Protection Act 1998. It will give individuals greater control over their own personal data. As a nursery it is necessary for us to collect personal information about the children who attend as well as staff and parents/carers.

**GDPR principle**

GDPR condenses the Data Protection Principles into six areas, which are referred to as the Privacy Principles. They are:

1. You must have a lawful reason for collecting personal data and must do it in a fair and transparent way.
2. You must only use the data for the reason it is initially obtained.
3. You must not collect any more data than is necessary.
4. It has to be accurate and there must be mechanisms in place to keep it up to date.
5. You cannot keep it any longer than needed.
6. You must protect the personal data.

The GDPR provides the following rights for individuals:

* The right to be informed.
* The right of access.
* The right to rectification.
* The right to erase.
* The right to restrict processing.
* The right to data portability.
* The right to object.
* Rights in relation to automated decision-making and profiling.

There are two main roles under the GDPR; the data controller and the data processor. As a childcare provider, we are the data controller. The data is our data that we have collected about the children and their families. We have contracts with other companies to process data, which makes them the data processor. The two roles have some differences but the principles of GDPR apply to both. We have a responsibility to ensure that other companies we work with are also GDPR compliant.

**Lawful basis for processing personal data**

We must have a lawful basis for processing all personal data within our organisation and this is recorded on our Information Asset Register (appendix i) for all the different information we collect. The six reasons are set out in Article 6 of the GDPR as follows:

**(a) Consent:**the individual has given clear consent for you to process their personal data for a specific purpose.

**(b) Contract:**the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.

**(c) Legal obligation:**the processing is necessary for you to comply with the law (not including contractual obligations).

**(d) Vital interests:**the processing is necessary to protect someone’s life.

**(e) Public task:**the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

**(f) Legitimate interests:**the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual’s personal data which overrides those legitimate interests. (This cannot apply if you are a public authority processing data to perform your official tasks.)

For the majority of data we collect, the lawful basis for doing so falls under the category of ‘legal obligation’ such as names, date of birth and addresses as we have a legal requirement to obtain this data as part of the Statutory Framework for the Early Years Foundation Stage.

Some data we collect, for example, photographs, requires parents to give consent for us to do so. Where this is the case, parents will be required to sign a consent form to ‘opt in’ and are made aware that they have the right to withdraw their consent at any time.

We may also be required to collect data as part of parent’s contract with the setting or local authority, for example, in order for us to claim government funding.

**Data retention**

We will hold information about individuals only for as long as the law says and no longer than necessary. After this, we will dispose of it securely. Please see appendix i. (Information Asset Register) for more information on retention periods for individual documents.

**Security**

We keep data about all individuals secure and aim to protect data against unauthorised change, damage, loss or theft. All data collected is only accessed by authorised individuals. All paper forms are kept locked away and all computers and tablets are password protected.

**Privacy notices**

All parents and staff are provided with privacy notices which inform them of our procedures around how and why we collect data, information sharing, security, data retention, access to their records and our commitment to compliance with the GDPR act.

**Ensuring compliance**

The member of staff responsible for ensuring that the setting is compliant is Charlotte Lucas (Company Director). Their main duties are:

* Ensure that the provision is compliant with GDPR.
* Audit all personal data held.
* Establish an Information Asset Register and maintain it.
* Ensure all staff are aware of their responsibilities under the law, this may include delivering staff training.
* Undertake investigations when there is a breach of personal data and report to the ICO.
* Keep up to date with the legislation.

The setting is also registered with the Information Commissioners Office and the certificate can be viewed in the office.

**Legal framework**

* The General Data Protection Regulation (2018)
* Human Rights Act 1998

**Policy created:** May 2018 **by: Charlotte Lucas** (Director and Nursery Manager)

**Signed:**

The policy will be reviewed **annually** from the above date (Please see separate review sheet in office policy folder). Any policies which require changes (at or inbetween review dates) will be updated and communicated to all employees, parents and students/volunteers.



**Privacy Notices**

Description of processing

The following is a broad description of the way Free Rangers processes personal information. To understand how your own personal information is processed you may need to refer to any personal communications you have received, check any privacy notices the organisation has provided or contact the organisation to ask about your personal circumstances.

**Reasons/purposes for processing information**

We process personal information to enable us to provide childcare, encourage and supervise educational play, to advertise our services, to maintain our own accounts and records and to support and manage our staff.

Type/classes of information processed

We process information relevant to the above reasons/purposes. This may include:

• personal details

• family details

• GP contact details

• lifestyle and social circumstances

• digital images of the child’s progress

• financial details

• education and employment details

• goods or services provided

We also process sensitive classes of information that may include:

• physical or mental health details

• racial or ethnic origin

• religious or other beliefs

• trade union membership

Who the information is processed about

We process personal information about:

• our employees

• the children in our care

• advisers, complainants, enquirers

• suppliers

Who the information may be shared with

We sometimes need to share the personal information we process with the individual themself and also with other organisations. Where this is necessary we are required to comply with all aspects of the Data Protection Act (DPA). What follows is a description of the types of organisations we may need to share some of the personal information we process with for one or more reasons.

Where necessary or required we share information with:

• family, associates and representatives of the person whose personal data we are processing

• healthcare, social and welfare advisers or practitioners

• business associates

• financial organisations and professional advisers

• credit reference agencies, debt collection and tracing agencies

• education, educators and examining bodies

• current, past or prospective employers

• employment, recruitment and supply agencies

• schools

• local and central government

• persons making an enquiry or complaint

• suppliers

• service providers

cctv for crime prevention reasons

undertaking research

At Free Rangers we have recently installed a network system that is compliant with the new GDPR guidelines and has the highest level of protection possible.

Legislation states that we must keep accident and incident forms for 21 years and upon that time they will then be safely destroyed. We dispose of personal information using a shredder, and keep nothing for longer than required.

All paperwork on site is kept under lock and key and staff are trained internally to understand their role with regards to being GDPR compliant.

Created May 2018

Charlotte Lucas



Being GDPR Compliant through our practice

May 2018

Document for staff

It is crucial as a team that we understand how we store our families’ personal information:

The following systems use personal data both yours and our families:

**Connect** - registers, contact details, payment details, GP details

**Tapestry** - EYFS linked, email addresses, D.O.B

**Quick books**

**Accounts spreadsheets** - secured safely on Laura’s laptop, Nigel Marks GDPR compliant

**Registration forms** - once fully completed in rooms, stored under lock and key in staff room

**Accident forms** - stored in locked cupboard in rooms

**Allergy Forms** - as above

**Staff Rotas** - shredded each week

**Staff home contact numbers** - kept in locked filing cabinet and stored on GDPR compliant **Croner -** password protected only manager and owner can access and GDPR compliant

**Payroll** - Nigel Marks GDPR compliant

**Email Marketing Prospects** - Forest School emails subscribed to and option to unsubscribe too.

**Email Customer List**

**Client Mobile List**

**Photos on walls and Facebook** - when relevant for learning purposes / see permissions on registration form

**Allergy Photos on walls** - as above and to meet safeguarding legislation

We have a duty to ensure:

1. We look after this data securely.
2. We make sure it’s correct.
3. We allow the family / staff member to review
4. We delete when necessary
5. We secure it safely
6. We report if there’s a breach
7. We train our staff up to understand the need to protect personal information

Please ensure the following:

**Registration in the rooms.**

When we register children into the sessions please ensure the registration clipboards are closed unless they are opening for a child to be marked as attending / not attending.

**Contacting families**

If you are calling or emailing a family member, please ensure that any contact details you may have written down and then subsequently destroyed.

**Accident / Incident / medical forms**

Please ensure that these are kept in a lockable cupboard and are not out for all to see. At the end of every academic year the room leaders discuss with the management team which paperwork must be destroyed safely and securely and which must be stored safely for legislative purposes.

**Reporting a breach**

If you feel information has been shared inappropriately or our privacy notices have been breached please report it to Charlotte Lucas (Owner.)

**Sharing information**

Under no circumstances can we release information to a third party regarding another family. We might have requests surrounding birthday parties, play dates, lost property, but we will never share contact details with other families without written consent.

**Keeping information up to date**

Outside of the main office are a selection of forms that families can pick up to update the information we hold on them. They can either hand this to Daisy in the office or post it in a secure locked box in the hallway that will be checked weekly.

Please ensure that all practitioners refer families to the office if they attempt to provide the rooms with updated personal information.

Room leaders have a responsibility to ensure all personal information is locked away at the end of the day.

The administration team in the office are responsible for keeping Connect up to date. Reminders to families are regularly posted on our closed FB page and Primary School App.

Families request to become a part of the FB page or School App. Please see our registration form for our consent section. Room leaders are responsible for disseminating this information to their teams.

**Your information**

As a team member your information is stored securely on our online system Croner, which is GDPR compliant and in a locked filing cabinet.

Please request your file if you need / want to see it.

You are able to notify us of personal detail changes via Croner. It is your responsibility to keep your details relevant and up to date.

This document is a working document and was created in May 2018 by Charlotte Lucas