

## 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.

Teddy Bears Preschool is committed to protecting the rights and freedoms of individuals with respect to the processing of children's, parents, visitors, staff and our committee members 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.

### GDPR includes 7 rights for individuals

#### 1. The right to be informed

Teddy Bears Preschool 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
- Email addresses
- Children's full names
- Children's addresses
- Children's date of birth
- Children's Birth Certificate number

For parents claiming the free government funding entitlement we are requested to provide this data to West Berkshire 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 preschool. We need to know visits names, telephone numbers, addresses and where appropriate company name. This is in respect of our Health and Safety and Safeguarding Policies.

As an employer Teddy Bears Pre-school is required to hold data on its employees;

- names
- addresses
- email addresses
- telephone numbers
- date of birth
- National Insurance numbers
- photographic ID such as passport and driver's license
- 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 for the processing of DBS checks.

## **2) The right of access**

Teddy Bears Preschool is a Charity registered in England & Wales. Registration No: 1174843, since 26<sup>th</sup> September 2017. Registered Address: Teddy Bears Preschool, Boxford Village Hall, Rood Hill, Boxford, Berkshire RG20 8DD

At any point an individual can make a request relating to their data and Teddy Bears Preschool will need to provide a response (within 1 month). Teddy Bears Preschool 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 if they are not happy with the decision.

## **3) 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 Teddy Bears Preschool has a legal duty to keep childrens and parents details for a reasonable time, Teddy Bears Preschool retain these records for 3 years after leaving preschool, 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 offsite and shredded after the legal retention period.

## **4) The right to restrict processing**

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

## **5) The right to data portability**

Teddy Bears Preschool requires data to be transferred from one IT system to another; such as from Teddy Bears Preschool to the Local Authority, to shared settings and to Tapestry' Online Learning Journal. 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 like marketing or research.

## **7) The right not to be subject to automated decision-making including profiling**

Automated decisions and profiling are used for marketing based organisations. Teddy Bears 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 filing cabinet which is locked in the storage area/office in Teddy Bears Preschool.

Members of staff can have access to these files but information taken from the files about individual children is confidential and apart from archiving, 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.

Teddy Bears Preschool 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 on and in paper format, this information is kept in a locked filing cabinet which is locked in the storage area/office in Teddy Bears Preschool, these records are shredded after the relevant retention period.

Upon a child leaving Teddy Bears Preschool and moving on to school or moving settings, data held on the child may be shared with the receiving school. For children attending school outside West Berkshire Council the parent/carer will be given the data to deliver to the receiving school.

Teddy Bears Preschool stores personal data held visually in photographs or video clips or as sound recordings, unless written consent has been obtained via the Permissions form. Names are not stored with images in photo albums, displays, on the website or on Teddy Bears social media sites.

Access to all Office computers and Tapestry Online Learning Journal is password protected. When a member of staff leaves Teddy Bears Preschool these passwords are changed. 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 Teddy Bears Preschool 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