

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. Little Stars Nursery 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 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

Little Stars Nursery 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, date of birth and in some instances National Insurance numbers. We need to know children's' full names, addresses and date of birth. For parents claiming the free nursery entitlement we are requested to provide this data to Bexley borough 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 nursery. We need to know visits names, telephone numbers and addresses. This is in respect of our Health and Safety and Safeguarding Policies.

As an employer Little Stars Nursery 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 Capita for the processing of DBS checks.

2) The right of access

At any point an individual can make a request relating to their data and Little Stars Nursery will need to provide a response (within 1 month). Little Stars Nursery 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 erasure

You have the right to request the deletion of your data where there is no compelling reason for its continued use. However Little Stars Nursery has a legal duty to keep children's and parents details for a reasonable time, Little Stars nursery retain these records for 3 years after leaving nursery, 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 Little Stars Nursery 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

Little Stars Nursery requires data to be transferred from one IT system to another; such as from Little Stars Nursery to the Local Authority and in the case of special needs children to third party professionals identified in the care plan. 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, albeit we have never or will ever pass on such data and if we were ever to do so we would seek the permission of the individual concerned.

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

Automated decisions and profiling are used for marketing based organisations. Little Stars Nursery 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 locked in the home of the manager of Little Stars Nursery. Members of staff cannot have access to these files but any information that is taken from the files to nursery 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.

Little Stars Nursery 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 an external hard drive and in paper format, this information is predominantly stored on computer, which is protected by Antivirus software and when applicable is passed to Bexley Borough via their Egress secure site. These records are shredded after the relevant retention period.

Upon a child leaving Little Stars Nursery 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 securely and with a footnote on their complying with the GDPR regulations. For children attending school outside Bexley Borough the parent/carer will be given the data to deliver to the receiving school.

Access to all Office computers and is password protected. When a member of staff leaves the company they will be instructed to delete all data held by them on their computer and return all hardcopy correspondence in line with this policy and our Safeguarding policy. 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 Little Stars Nursery 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 This Policy was adapted at a meeting at Little Stars

Nursery in January 2018 Signed on behalf of Little Stars Nursery

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..... Policy review date: September 2018

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Telephone (01322) 525021

Data Audit Form re information held by Little Stars Nursery.

Type of Data	General contact information, in the case of for special needs details of health and professional contacts.
Description of data	Childs name, address, D.O.B, Contact numbers, email address. Specialist information on health related issues re SEND children and relevant professionals contact details.
Employee responsible	Karen Lucas
Date of consent to hold data	Obtained at time of child joining nursery.
Where the data is stored	Digitally on home PC and in spare room.
Source of the data	Parents.
Purpose of the data	To ensure we have contact details for emergency and general enquiries.
How the data is protected in its storage	Virus protected and in hard copy format stored in secure filing cabinet
Usage restrictions	Staff, Bexley Borough and third party professionals. only
Usage rights	Nursery and the borough of Bexley. In Send cases professional third party bodies. but issued via secure
Usage frequency	As and when needs to be updated and issued.
Retention period	7 years
Comments	Note all personal information is sent to Bexley on personal data is via their Egress secure mail portal.