**BRIGHTWALTON PRESCHOOL NURSERY**

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. Brightwalton Preschool 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

Brightwalton Preschool 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 National Insurance numbers. We need to

know children’s’ full names, addresses, date of birth and Birth Certificate number. For parents

claiming the free nursery entitlement we are requested to provide this data to West Berkshire; 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-schools. 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 Brightwalton Preschool 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 Personnel Checks 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 Brightwalton Preschool Nursery will need to provide a response (within 1 month). Brightwalton 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 erasure

You have the right to request the deletion of your data where there is no compelling reason for its

continued use. However, Brightwalton Preschool Nursery has a legal duty to keep children’s

and parents details for a reasonable time\*, Brightwalton Preschool Nursey 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 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 Brightwalton Preschool 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

Brightwalton Preschool Nursery requires data to be transferred from one IT system to

another; such as from Brightwalton Preschool Nursery 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. Brightwalton Preschool does not use personal data for such purposes.

**Storage and use of personal information**

1. All paper copies of children's and staff records are kept in a locked filing cabinet in a locked cupboard in the village hall.

2. 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.

Brightwalton Preschool 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 kept in a locked cupboard. These records are shredded after the relevant retention period. Upon a child leaving Brightwalton Preschool 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 via the internal Newbury post service or via a secure file transfer system.

Brightwalton Preschool Nursery 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 Brightwalton Preschool Nursery’s social media sites. Access to all Office computers and Tapestry Online Learning Journal is password protected. When a member of staff leaves the company these passwords are changed 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 Brightwalton Preschool 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 in September 2021

Signed on behalf of Brightwalton Preschool Nursery

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Sarah Wheatley-Hince - Manager September 2021

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Policy review date: September 2022