



## **Data Protection Policy**

### **Statement of Intent**

Horfield Welly Preschool is required to collect personal information for its employees, trustees, children, parents, and visitors. It is also necessary to process information so that staff can be recruited and paid, activities organised and legal obligations to funding bodies fulfilled. We intend to meet all the requirements of the Data Protection Act 1998 (the Act) and the General Data Protection Regulations (GDPR) 2018 when collecting, storing, and destroying personal data.

To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully. To do this, Horfield Welly Pre-school must comply with the Data Protection Principles which are set out in the Data Protection Act 1998. In summary these state that personal data must be:

- obtained and processed fairly and lawfully;
- obtained for a specified and lawful purpose and not processed in any manner incompatible with that purpose; adequate, relevant, and not excessive for that purpose;
- accurate and kept up to date;
- not kept for longer than is necessary;
- processed in accordance with the data subject's rights;
- kept safe from unauthorised access, accidental loss, or destruction;
- not be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data.

All pre-school staff and volunteers who process or use any Personal Information must ensure that they follow these principles at all times. In order to ensure that this happens, the pre-school has adopted this Data Protection Policy. Prior permission will be obtained to hold personal details on children, families or staff.

### **Notification of Data Held and Processed**

All employees, trustees, parents, visitors, and other members of the public have the right to:

- know what information the pre-school holds and processes about them and why;
- know how to gain access to it;
- know how to keep it up to date;
- know what the pre-school is doing to comply with its obligations under the Act.

### **The Data Controller and the Designated Data Controllers**

Horfield Welly pre-school as a registered charity is the Data Controller under the Act, and the organisation is therefore ultimately responsible for implementation. However, the Designated Data Controller will deal with day to day matters. The Pre-school's Designated Data Controller is:

### **Preschool Manager – Courtney Haley**

#### **Personal Information**

Personal Information is defined as any details relating to a living, identifiable individual. Within the Pre-school this relates to employees; attending children and their families; trustees; professional visitors; volunteers/students and some members of the public e.g. job applicants. We need to ensure that the information gained from each individual is kept securely and to the appropriate level of confidentiality.

The personal information collected from individuals could include:

- Their name
- Address
- Email address
- Telephone numbers-including those of emergency contacts
- Date of birth
- Medical information
- National Insurance number
- DBS numbers
- Observations of children's progress (learning journals)
- Children's reports, preschool or from outside professionals.
- Photographs
- Family medical history when necessary

Horfield Welly Pre-school will store personal information to comply with the statutory framework (EYFS 2017); to deliver services to our families e.g. government funding; to employ suitable people for our setting.

#### **Processing of Personal Information**

All staff and volunteers who process or use any Personal Information are responsible for ensuring that:

- Any Personal Information which they hold is kept securely;
- Personal Information is not disclosed either orally or in writing or otherwise to any unauthorised third party.

Staff and volunteers should note that unauthorised disclosure will usually be a disciplinary matter and may be considered gross misconduct in some cases.

Personal information will be:

- kept in a locked filing cabinet; or
- in a locked cupboard; or
- if it is computerised, be password protected;
- kept on a storage device which is itself kept securely.

#### **Conversations and Meetings**

Information of a personal or confidential nature should not be discussed in a public area, in front of anyone that is not an employee of the preschool. Preschool employees should be aware of confidentiality at all times when discussions are taking place, either distancing themselves from the conversation if it does not concern them, or, ensuring that their discussion is not overheard by others. All staff should respect the confidential nature of any information inadvertently overheard.

When meetings are being recorded it is important that only relevant information is written down. This must be carried out using the correct forms provided by the pre-school, notes must be written legibly and coherently. The written notes are then to be stored in a locked cupboard and disposed of (shredded) in a timely manner once the child/family have left the setting (3 years unless of a child protection nature).

### **Collecting Information**

Whenever information is collected about people, they should be informed why the information is being collected, who will be able to access it and to what purposes it will be put. The individual concerned must agree that he or she understands and gives permission for the declared processing to take place, or it must be necessary for the legitimate business of the pre-school.

### **Sensitive Information**

Sensitive information is defined by the Act as that relating to ethnicity, political opinions, religious beliefs, trade union membership, physical or mental health, sex life, criminal proceedings or convictions. The person about whom this data is being kept must give express consent to the processing of such data, except where the data processing is required by law for employment purposes or to protect the vital interests of the person or a third party.

### **Disposal of Confidential Material**

Sensitive material should be shredded as soon as it is no longer needed; following retention guidelines and statutory requirements. Particular care should be taken to delete information from the tablets or the computer hard drive if they are to be disposed of. (See retention of records document in policies folder).

### **Staff Responsibilities**

All staff are responsible for checking that any information that they provide to the pre-school in connection with their employment is accurate and up to date. Staff have the right to access any personal data that is being kept about them, either on computer or in manual filing systems. Staff should be aware of and follow this policy and seek further guidance where necessary.

Staff will not store personal child data at home or remove it from the premises; this includes data such as photographs stored on tablets. It is necessary in case of closure for staff to store parent's telephone numbers and names at home for their key children. These details should be kept securely in a locked cupboard or filing cabinet and returned to pre-school for shredding when the family leaves.

Sharing data between staff members/outside agencies, where necessary Gmail/drop box will be used to securely share or pass on information. Password protected file sharing will be used for sensitive data.

Staff will not discuss individual children, other than for purposes of planning/reviewing/as part of their role within the setting with anyone other than the parent/carers of that child without their permission

## **Management committee**

Data held at home by the management committee volunteers:-

- Will be kept securely in a locked cupboard or filing cabinet
- Data held on a computer, memory stick, file storage device, will be password protected
- Will keep data confidential and only disclose/discuss with other members of the pre-school committee or staff.
- will make available data held about staff/children/families to view by them if requested
- When no longer required data will be returned to the pre-school for disposal or storage and files held on computers will be deleted
- Pass on securely data and memory sticks to next committee

Committee secretary will ensure that no confidential data relating to children or staff at the pre-school is recorded on minutes of committee meetings that are available for public viewing or are shared with other parents. Members of the management committee will not discuss confidential matters concerning the pre-school with other parents.

## **Duty to Disclose Information**

There is a legal duty to disclose certain information, namely, information about: Child abuse/ safeguarding children/ prevent duty, which will be disclosed to social services (First response), OFSTED LADO or to the police.

Any concerns/evidence/records relating to a child's personal welfare or an allegation against staff will be recorded and kept in a confidential file and will not be shared within the setting except with necessary staff, parents or management committee.

Parents will be informed that this data is being held/shared unless staff feel that sharing this information with the parents could put the child at significant risk of harm.

## **Retention of Data**

The pre-school takes care to only store personal information that is absolutely necessary.

Personal information is kept for the period of time requested following guidelines from the Pre-school Learning Alliance; these retention periods are either recommended or statutory.

Stored information is filed in sealed filing boxes and locked in the pre-school cupboard. Once the retention period has lapsed, the information is destroyed.

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***This policy was agreed at a meeting of the Horfield Welly Pre-school Management Committee held on:***

***Date:***

***Signed on behalf of the Management Committee:***

***Role of the signatory (e.g. chairperson):***

***Signed on behalf of the staff:***

***Role of signatory (pre-school manager):***