



# Twyford Playgroup

## General Data Protection Regulation Policy

### Introduction

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 individual's data is not processed without their knowledge and is only processed with their 'explicit' consent. GDPR covers personal data relating to individuals. Twyford playgroup is committed to protecting the rights and freedoms of individuals with respect to the processing of children's, parents, visitors and staff's 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. Twyford playgroup is registered with the ICO (Information Commissioners Office) and the Registration Certificate is displayed on the parent's information board at pre-school.

GDPR means that Twyford playgroup 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

### GDPR includes 7 rights for individuals

#### 1. The right to be informed

Twyford playgroup is a registered Childcare provider with Ofsted and so is required to collect and manage certain data. This includes:

- parent's names, addresses, telephone numbers, e-mail addresses, dates of birth and National Insurance numbers
- children's full names, addresses and dates of birth.

For parents claiming up to 30 hours free childcare we are required to provide this data to Hampshire County Council; this information is sent to the Local Authority via a secure electronic file transfer system.

We are required to collect details of visitors to our pre-school. This includes:

- visitors names, telephone numbers and where appropriate, their company name. This is in respect of our Health and Safety and Safeguarding Policies.

As an employer, Twyford playgroup is required to hold data on its employees. This includes:

- names, addresses, e-mail addresses, telephone numbers, dates of birth, National Insurance numbers, photographic ID such as passport and driver's license and bank details.
- this information is also required for Disclosure and Barring Service checks (DBS) and as proof of eligibility to work in the UK. This information is sent via a secure file transfer system to Online Disclosures for the processing of DBS checks.

## **2. The right of access**

Twyford playgroup  
The Gilbert Room  
Twyford Parish Hall  
Hazeley Road  
Twyford  
Winchester  
SO21 1QY

At any point an individual can make a request relating to their data. Twyford playgroup will provide a response (within 40 working days). We 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, Twyford playgroup has a legal duty to keep children's and parents details for a reasonable time.

- we retain your child's personal data for up to 3 years after your child no longer uses our setting, or until our next Ofsted inspection after your child leaves our setting
- medication records and accident records are kept for longer according to legal requirements (for 19 years, or until the child reaches 21 years of age)
- your child's learning and development records, including their Learning Journal are maintained by us and transferred to you when your child leaves
- data about you and your child given for the purposes of applying for up to 30 hours free childcare is retained for six years from the date of the application
- Staff records must be kept for 6 years after the member of staff leaves employment

In some instances (child protection, or other support service referrals) we are obliged to keep your data for longer if it is necessary to comply with legal requirements (see our Children's and Provider Records policies).

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

Parents, visitors and staff can object to Twyford playgroup processing their data. This means that records can be stored but must not be used in a specified way, for example reports or for communications.

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

Twyford playgroup requires data to be transferred from one IT system to another, such as from Twyford playgroup to the Local Authority.

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**

Twyford playgroup 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 either a lockable room or lockable filing cabinet
- members of staff can have access to these files but information taken from the files about individual children is confidential and these records remain on site at all times
- all paper records are shredded after the retention period
- information about individual children is used in certain documents, including a weekly register, medication forms, referrals to external agencies and disclosure forms. These documents include personal data such as children's names, date of birth and sometimes address. These records are shredded after the relevant retention period.
- Twyford playgroup 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 and in paper format. This information is stored securely. These records are shredded after the relevant retention period.
- when a child leaving the setting and moves on to school or another early years setting, data held on the child may be shared with the receiving school. Such information will be sent securely in a paper format or electronically via Tapestry (refer to 5.4 Transfer of Records to School Policy).

Twyford playgroup may use personal data which is held visually in photographs or video clips or as sound recordings, No names are stored with images in photographs, on displays or on the website. The only exception to this is the child's name tag for self-registration. These will be transferred to you when your child leaves.

Access to all computers and tablets used by staff are password protected. Any portable data storage used to store personal data, such USB memory sticks, are password protected and/or stored securely.

**This policy was adopted by:** Twyford playgroup

**On:**

**Signed on behalf of the management  
committee:**

**Name of signatory:**

**Role of signatory:** Chairperson

**Date reviewed by leader:**

**Leader's signature:**

**Date of next review:** May 2019