



## **Data Protection Policy**

### **Statement of intent**

Our nursery believes that the personal data of families and staff should be treated with respect and in a way that does not jeopardise personal and confidential information. We follow the guidance set out in the Data Protection Act 1998, and the General Data Protection Regulations (GDPR) 2018.

### **Aims**

- ★ We aim to ensure the safe storage and handling of all personal data which we come into contact with during the running of this nursery, and that it is kept up to date.
- ★ We aim to process personal data lawfully, fairly and in a transparent manner.
- ★ We aim to store personal data for as long as is legally required.

The GDPR includes the following rights for individuals:

- ★ The right to be informed
- ★ The right of access
- ★ The right to rectification
- ★ The right to erasure
- ★ The right to restrict processing
- ★ The right of data portability
- ★ The right to object, and
- ★ The right not to be subject to automated decision making, including profiling.

### **Methods**

John Banbury, Finance Director, is our Data Protection Officer.

### **Handling staff personal data**

- ★ We follow all legal requirements with regard to the handling of our staff's personal data.
- ★ Staff are required to give their signed consent for us to hold their personal data.
- ★ Staff sign to give permission for their details to be shared for the purpose of payroll. Our payroll is processed by Sarah Place Accountants.
- ★ Staff sign a payroll form to give permission for their personal details to be passed to our accountant, pension broker and pension provider.
- ★ Data is only shared with other appropriate parties with prior written permission from a staff member.
- ★ In some cases, we may be legally required to pass data on.
- ★ Staff may ask to see any information we hold about them and we will fulfil this request within one month.
- ★ We are required to hold staff information for seven years after they have left the nursery.

## **Disclosure and Barring Service (DBS)**

- ★ We use Capita to process all of our online DBS certificates.
- ★ During the application process staff are asked to agree to their 'Terms and Conditions' and agree to the process going ahead.
- ★ When confirmation of the application has been received via email, the reference number will be kept on our company DBS log.
- ★ Paper DBS certificates are the property of the staff member. They must be brought to nursery at the earliest opportunity for the Nursery Manager or their deputy to see and record the reference number and date of issue onto the company DBS log.

## **Handling personal data for children and their family**

- ★ Parents/Carers are required to give their signed consent for Once upon a time nursery school to hold information about their child and family. Adults must have legal parental responsibility to do this for the child.
- ★ We follow all legal requirements with regard to the handling of our families' personal data.
- ★ Our staff are trained in the handling of families' personal data. Staff are not allowed to take any of the children's personal information home.
- ★ We pay an annual fee to the Information Commissioners Office.
- ★ Our children's online 'Learning journals' are the property of the parents and will only be transferred to schools or other nursery settings with prior permission from them.
- ★ Journals are not accessed at home by our staff.
- ★ Information will only be passed to third parties within the educational support system to enable children to receive all of their entitlements. This includes claiming Government nursery funding for all three and four-year olds and eligible two year olds.
- ★ We hold information on how Local authorities and Government departments use information passed to them and display it on our parents notice boards.
- ★ Ofsted, our industry regulator, will have access to children's personal data at inspection visits.
- ★ In rare cases, we may be legally required to pass information on to certain authorities without parental permission. Such cases would be where we are safeguarding a child in our care.
- ★ We are required to keep children's registration details for three years after they have left the nursery.
- ★ Accident, Incident and Medicine forms must be kept indefinitely.
- ★ Attendance Registers are kept for three years.
- ★ Any Special Educational Needs and Disability reports and plans will be forwarded to the child's receiving school or nursery, at transition, with written permission from parents.
- ★ Any Child Protection reports will be forwarded to the child's receiving school.
- ★ Norfolk County Council funding claim forms must be kept for seven years.
- ★ Parents may ask to see any information we hold about them and we will fulfil this request within one month.

## **Photographs**

- ★ Photographs and Videos are only taken with our nursery cameras and tablets with prior signed permission from parents.
- ★ Photographs are used in displays around the nursery.
- ★ We seek specific written permission from parents for photographs which may be taken and used outside of the nursery, for example on our website or on our Facebook page.
- ★ Computer stored photographs will be deleted when a child leaves the nursery.

## **Computers**

- ★ Data, including photographs, which is stored on the nursery computers, is protected by passwords.
- ★ All computers are protected against internet intrusion.

- ★ We use Beacon IT for all of our internet and computer support. We have a signed agreement with Beacon IT covering confidentiality and data control. You can view Beacon IT's privacy notice on their website: [www.beconitsolutions.co.uk](http://www.beconitsolutions.co.uk)
- ★ Staff are not permitted to use any portable data devices which have not been encrypted by our IT support provider.

### **Tapestry**

We have an in-depth contract with Tapestry in which they are the Data Handler for information loaded onto your Child's learning journal. **Once upon a time** nursery school is the Data Controller.

Parents are required to sign a Tapestry agreement before we load any information onto their child's learning journal. When a child leaves nursery, we ask written permission from parents to transfer a journal to a new setting. Once a transfer is complete, or the journal has been loaded onto a memory stick, we will instruct Tapestry to delete that child's data.

### **Data breach**

A personal data breach means a breach of security leading to the destruction, coming, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed. We have systems in place to detect, report and investigate a breach.

In the event of a data breach we will inform parents or staff as soon as possible. If a computer breach is discovered, we will contact Beacon IT to investigate and make safe our data.

Where we believe that the breach could result in a risk to the rights and freedoms of individuals, for example it could result in discrimination, damage to reputation, financial loss, loss of confidentiality or any other significant economic or social disadvantage, we will also inform the Information Commissioners Office within 72 hours of the breach.

**This policy was adopted by Once upon a time nursery school**

**Date: 24 September 2009**

**And updated: 16 April 2018**

**Signed on behalf of the nursery**

**To be reviewed by: Annually or sooner if any matters arise**