

## GDPR Policy

### Statement of intent

The General Data Protection Regulation (GDPR) is designed to protect the privacy of individuals. It requires that any personal information about an individual is processed securely and confidentially. This includes both staff and children. How Trull Saplings Preschool obtains, shares and uses information is critical, as personal data is sensitive and private. Everyone, adults and children alike, has the right to know how the information about them is used. The General Data Protection Regulation requires the Preschool to strike the right balance in processing personal information so that an individual's privacy is protected. Applying the principles to all information held by the Preschool will typically achieve this balance and help to comply with the legislation. In order to provide a quality early years and childcare service and comply with legislation, we will need to request information from parents about their child and family. Some of this will be personal data.

We take families' privacy very seriously, and in accordance with the General Data Protection Regulation (GDPR), we will process any personal data according to the seven principles below:

1. We must have a lawful reason for collecting personal data, and must do it in a fair and transparent way. We will be clear about what data we are collecting, and why.
2. We must only use the data for the reason it is initially obtained. This means that we may not use a person's data to market a product or service to them that is unconnected to the reasons for which they shared the data with us in the first place.
3. We must not collect any more data than is necessary. We will only collect the data we need to hold in order to do the job for which we have collected the data.
4. We will ensure that the data is accurate, and ask parents to check annually and confirm that the data held is still accurate, and make any corrections that are required.
5. We will not keep data any longer than needed. We must only keep the data for as long as is needed to complete the tasks it was collected for.
6. We must protect the personal data. We are responsible for ensuring that we, and anyone else charged with using the data, processes and stores it securely.
7. We will be accountable for the data. This means that we will be able to show how we (and anyone working with me) are complying with the law.

### Procedure

We expect parents to keep private and confidential any sensitive information they may accidentally learn about our family, setting or the other children and families attending our setting, unless it is a child protection issue.

We will be asking parents for personal data about themselves and their child/ren in order to deliver a childcare service please see **our Privacy policy**. We are required to hold and use this personal data in order to comply with the statutory framework for the Early Years foundation stage, Ofsted, Department for Education and our local authority.

### Subject access

Parents have the right to inspect records about their child at any time. Please see our **Privacy policy**.

### Storage

We will keep all paper-based records about children and their families securely locked away in a filing cupboard. Please see our **Privacy policy**.

### Information sharing (see our Privacy policy for more detailed information)

We are expected to share information with other childcare providers if a child also attends another setting.

We are also required to share information with services covered under the Lambeth local authority, i.e. the health care services in regards to the childcare and early year's entitlements (15 or 30 free education hours).

We will not share any information with anyone without parents' consent, unless there is a child protection concern.

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OFSTED may require access to our records at any time.

### **Record keeping**

We record all accidents in on an accident form in our accident book, which will be discussed and signed with parents on collection the same day. Accident books are stored in a lockable cabinet in the Preschool cupboard, and archived once full.

We will inform OFSTED, the local child protection agency and the Health and Safety Executive of any significant injuries, accidents or deaths as soon as possible.

We record all significant incidents on an incident form, which is discussed and shared with parents and then stored in the child's file.

We will only share information if it is in a child's best interests to do so. For example in a medical emergency we will share medical information with a healthcare professional. If we are worried about a child's welfare we have a duty of care to follow the Local Safeguarding Children's Board procedures and make a referral. Where possible we will discuss concerns with you before making a referral. Please see our **Safeguarding policy** and **Privacy policy** for more detail.

### **Safe disposal of data**

We are required by law to keep some data for some time after a child has left the setting. We have a review plan in place and ensure that any data is disposed of appropriately and securely.

### **Suspected breach**

If we suspect that data has been accessed unlawfully, we will inform the relevant parties immediately and report to the Information Commissioner's Office within 72 hours. We will keep a record of any data breach on a GDPR incident form.

The Preschool are required to process relevant personal data as part of its operation and shall take all reasonable steps to do so in accordance with our policy.

Processing may include obtaining, recording, and holding, disposing, destroying or otherwise using data. The Preschool will endeavour to ensure that all personal data is processed in compliance with our policy and the principles of the General Data Protection Regulation (EU) 2016/679.

If you wish to exercise any of these rights at any time or if you have any questions, comments or concerns about this privacy notice, or how we handle your data please contact us. If you continue to have concerns about the way your data is handled and remain dissatisfied after raising your concern with us, you have the right to complain to the Information Commissioner Office (ICO). The ICO can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or [ico.org.uk/](https://ico.org.uk/)

### **Changes to this notice**

We keep this notice under regular review. You will be notified of any changes where appropriate.

### **Our Data Compliance Officer is:**

Comfort Smithson, Business Manager: [comfortsmithson@trullpreschool.co.uk](mailto:comfortsmithson@trullpreschool.co.uk)

### **Legal framework**

General Data Protection Regulation (EU) 2016/679

Early Years Foundation Stage Welfare Requirements (given legal force by Childcare Act 2006)

Children's Act 1989/2004

Limitation Act 1980

The Statute of Limitations (Amendment) Act 1991

### **Linked Policies**

Our privacy policy links directly to the following other policies within our setting:

- Admissions policy
- Children record policy
- Confidentiality policy
- Early years funding policy



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- Privacy policy
- Provider policy
- Safeguarding policy
- Sharing information policy
- Special educational needs policy
- Transfer of records policy
- Working in partnership with other agencies policy

**This policy was agreed by the Trull Saplings Preschool Committee in September 2023 and will be reviewed in September 2024**