



# General Data Protection Regulation Policy

## GDPR

### Statement of intent:

General Data Protection Regulation 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 consent. GDPR covers personal data relating to individuals.

Clifton Moor Pre-School is committed to protecting the rights 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.

Clifton Moor Pre-school is registered with the Information Commissioners Office (ICO) under registration reference: **ZA243250**. The Certificate is on display on the parent's information board.

### GDPR includes 7 rights for individuals:

#### 1. The right to be informed

Clifton Moor Pre-School is a registered Childcare provider with Ofsted and as so, is required to collect and manage certain data including:-

- Parent's names, addresses, telephone numbers, email addresses, date of birth and National Insurance numbers.
- 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 City of York Council this information is sent to the Local Authority via a secure electronic file transfer system.

As an employer Clifton Moor Pre-School is required to hold data on its employees:-

- Names, addresses, email addresses, telephone numbers, date of birth, National Insurance numbers, emergency contact name and 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 UKCRBs for the processing of DBS Checks.

#### 2. The right of access

Clifton Moor Pre-School is a Private Limited Company by Guarantee registered in England & Wales.

Registration No: - **07266807**.

At any point an individual can make a request relating to their data and Clifton Moor Pre-School will need to provide a response (within 1 month).

Clifton Moor 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 Clifton Moor Pre-School has a legal duty to keep children's and parents details for a reasonable time\*:-

- Parent/Child contact details – 3 years.
- Child Accident/Injury records – until the child reaches 21
- Child Protection records – until the child reaches 24.

- Staff records - 6 years after the member of leaves employment.

This data is archived securely and shredded after the legal retention period.

#### 4. The right to restrict processing

Parents, visitors and staff can object to Clifton Moor Pre-School 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

Clifton Moor Pre-School use secure file transfer systems and make sure that recipients 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. Clifton Moor Pre-School 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 a locked filing cabinet. 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.

Clifton Moor Pre-School 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 kept in a locked filing cabinet. These records are shredded after the relevant retention period.

Upon a child leaving Clifton Moor Pre-School and moving on to school or moving settings, data held on the child may be shared with the receiving school. This will be hand delivered by the Pre-School manager. For children attending a different school the parent/carer will be given the data to deliver to the receiving school.

Clifton Moor Pre-School uses photographs these are stored on a digital photo frame and in children's Learning Journals, both are stored securely in a locked room.

Access to all Office computers is password protected. When a member of staff leaves the company these passwords are changed in line with this policy. Any portable data storage used to store personal data, e.g. USB memory stick, are password protected and stored in a locked filing cabinet.

#### **GDPR means that Clifton Moor Pre-School 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.

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This policy was adopted at a meeting of	Clifton Moor Pre-School	<i>(name of provider)</i>
Held on	_____	<i>(date)</i>
Date to be reviewed	_____	<i>(date)</i>
Signed on behalf of the provider	_____	
Name of signatory	Toni Brett	
Role of signatory (e.g. chair, director or owner)	Manager	
Signed by Trustee Member	_____	

Reviewed by  
Date

Reviewed by  
Date

Reviewed by  
Date

Clifton Moor Pre-School, Lakeside Primary School, Oakdale Road, Clifton Moor, York, YO30 4YL.

Ofsted Registration Number : EY414383

Company Number: 72666807 Charity Number: 1136705

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