

 Rainbows End Pre-School

 Timebridge Community Centre

 Mobbsbury Way

 Stevenage

 Herts

 SG2 0HT

**General Data Protection Regulation Policy**

**Policy Statement**

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 came 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 data is not processed without their knowledge and are only processed with their ‘explicit’ consent. GDPR covers personal data relating to individuals. Rainbows End Pre-school 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.

Rainbows End Pre-school is registered with the ICO (Information Commissioners Office).

Rainbows End Pre-School Data Protection Officer (DPO) is responsible for ensuring Rainbows End Pre-School is compliant with GDPR. The post is held by the Pre-school Leader (Clair Rivers-Ward) rainbowsendstevenage@gmail.com Any questions or concerns about the operation of this policy should be referred in the first instance to the DPO.

**GDPR Includes Rights for Individuals**

1. **The Right to be Informed**

Rainbows Pre-school is a registered Childcare provider with Ofsted and as so, is required to collect and manage certain data. We need to know parent’s names, addresses, telephone numbers, email addresses, date of birth and National Insurance numbers. We need to know 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 the local authority; this information is sent to the Local Authority via a secure electronic file transfer system.

We are required to collect certain details of visitors to our pre-schools. We need to know visitor's names, telephone numbers, addresses and where appropriate company names. This is in respect of our Health and Safety and Safeguarding Policies.

As an employer Rainbows End Pre-school is required to hold data on its employees; names, addresses, email addresses, telephone numbers, date 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 proof of eligibility to work in the UK. This information is sent via a secure file transfer system to Capita for the processing of DBS checks. Rainbows End Pre-school does not use Cookies on its website.

1. **The Right of Access**

Rainbows End Pre-school is part of Chells Community Association and is a registered charity, charity number 302359 registered with Companies House. Registered address Timebridge Community Centre, Mobbsbury Way, Stevenage, SG2 0HT Telephone 01438 355458

At any point an individual can make a request in writing relating to their data and Rainbows End Pre-school, we will provide a response (within 1 month) of receiving your request. Rainbows End Pre-school can refuse a request, if we have a lawful obligation to retain data i.e. from Ofsted concerning 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.

1. **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, Rainbows End Pre-school has a legal duty to keep children’s and parent's details for a reasonable time. Rainbows End Pre-school retain these records for 3 years after leaving pre-school, children's accident, and injury records for 19 years (or until the child reaches 21 years), and 22 years (or until the child reaches 24 years) for Child Protection records. Staff records must be kept for 6 years after the member staff of leaves employment before they can be erased. This data is archived securely onsite and shredded after the legal retention period.

1. **The Right to Restrict Processing**

Parents, visitors and staff can object to Rainbows End Pre-school processing their data. This means that records can be stored but must not be used in any way, for example, for reports and/or communications.

1. **The Right to Data Portability**

Rainbows End Pre-school requires data to be transferred from one IT system to another, such as from Rainbows End Pre-school to the Local Authority, to shared settings and to Tapestry Online Learning Journal. These recipients use secure file transfer systems and have their own policies and procedures in place in relation to GDPR.

1. **The Right to Object**

Parents, visitors, and staff can object to their data being used for certain activities like marketing or research.

1. **The Right not to be Subject to Automated Decision-Making including Profiling**

Automated decisions and profiling are used for marketing-based organisations. Rainbows End Pre-school does not use personal data for such purposes.

**Storage and Use of Personal Information**

All paper copies of children and staff records are kept in a locked cupboard in Rainbows End Pre-school Office. 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. 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.

Rainbows End 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 are added to the child’s file and stored appropriately. Information regarding a family's involvement with other agencies is stored both electronically and in paper format, this information is kept in a locked cupboard in Rainbows End Pre-School office.

Upon a child leaving Rainbows End Pre-school and moving on to school or moving settings, data held on the child may be shared with the receiving school. Such information will be sent via Roya mail post service, delivered by hand and/or sent via HertsFX secure file transfer system.

Rainbows End Pre-school stores personal data held visually in photographs, video clips and/or as sound recordings, on Rainbows End Pre-School only use iPad. No names are stored with images in photo albums, displays, on the website or on Rainbows End Pre-school social media sites.

Access to all office computers and Tapestry Online Learning Journal is password protected. When a member of staff leaves the company, these passwords are changed in line with this policy and our Safeguarding Policy. Any portable data storage used to store personal data, e.g. USB memory stick are password protected and/or stored in a locked filing cabinet.

**Providing Information over the Telephone**

Any member of staff dealing with telephone enquiries should be careful about disclosing any personal data held by Rainbows End Pre-School whilst also applying common sense to the particular circumstances. In particular, they should:

* Check the caller's identity to make sure the information is only given to a person who is entitled to it.
* Suggest that the caller put their request in writing if they are not sure about the caller's identity and where their identity cannot be checked.
* Refer to their line manager or the DPO for assistance in difficult situations. No one should feel pressured into disclosing personal information.

**GDPR means that Rainbows End 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.

This policy was adopted by Clair Rivers-Ward