



General Data Protection Regulations (GDPR)

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General Data Protection Regulations (GDPR)

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 comes into effect on 25th May 2018. GDPR states that personal data should be "processed fairly and 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 "explicit" consent. GDPR covers personal data relating to individuals. Noah's Ark Pre-school is committed to protecting the rights and freedoms of individuals with respect to the processing of children's, parents, visitors, and staff personal data. We keep our data requirements to a minimum and collect only data which we are legally obliged to or which enables us to deliver an effective childcare service.

Becky Langton and **Jason Davies** are the setting's Data Controllers.

Certificates of Registration are on display on the parent's information board.

Procedures

Underpinning this Policy is our "Data Audit" which sets out what data we collect, where it is stored, how it is used, who it is shared with, how long it is retained, and how it is disposed of. This will be updated annually. Additionally, we have reviewed our Privacy Notices and all Parents and staff are given a copy to sign.

GDPR includes 7 rights for individuals

1. The right to be informed

Noah's Ark is a registered childcare provider with Ofsted and, as so, is required to collect and manage certain data. We need to know parents' names, addresses, telephone numbers, email addresses employment contact details and, in some cases, National Insurance Number. We need to know children's full names, addresses, date of birth, medical information. For parents claiming the Free Early Education entitlement we are required to provide this data to Norfolk County Council; this information is sent to the Local Authority via a secure electronic Portal.

We are required to collect certain details of visitors to our pre-school. We need to know visitors names, car registration number (if they have parked here). This is in respect of our Health and Safety and Safeguarding Policies.



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As an employer, Noah's Ark is required to hold data on its employees: names, addresses, email addresses, telephone numbers, next of kin, date of birth, National Insurance number, photographic ID, bank details, employment history. This information is also required for Disclosure and Barring Service (DBS) checks and proof of eligibility to work in the UK.

2. The right of access

At any point an individual can make a request relating to their data and Noah's Ark Pre-school will need to provide a response (within 1 month). Noah's Ark 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. We do not keep data unnecessarily but we have a legal duty to keep certain details for a period of time after a child has left the setting. A table setting out which data is kept, and for how long, is appended to this policy. Data which is kept is archived securely and shredded after the legal retention period.

4. The right to restrict processing

Parents, visitors and staff can object to Noah's Ark processing their data. This means that records can be stored but must not be used in any way, for example for reports or communication.

5. The right to data portability

Sometimes data needs to be transferred from one IT system to another – for example from Noah's Ark to the Local Authority. These recipients use secure file transfer systems and have their own policies and procedures 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 by marketing-based organisations. Noah's Ark does not use personal data for such purposes.

Storage and use of personal information.

- We collect information on Parents and Children on our Registration Form. This form contains various consents for information sharing. All paper copies of children's and staff records are kept in a locked cupboard at Noah's Ark.
- Members of staff can have access to these files and apart from archiving, these records always remain on site.
- These records are shredded after the retention period.
- Information about individual children is used in certain general documents such as the daily register, medication forms, accident forms, referrals to external agencies etc.
- These documents include data such as children's names, date of birth, and sometimes address. These records are shredded after the relevant retention period.
- We collect a large amount of personal data every year including names and addresses of those on the waiting list. These records are deleted from the server and paper copies are shredded if the child does not attend or added to the child's file and stored/destroyed appropriately.
- Information for funding is obtained via Norfolk County Council Registration and Declaration forms which ask parents to consent to the relevant checks and sharing of information. These forms are stored securely in the setting's office until they can be shredded.
- Information regarding families' involvement with other agencies is stored in a locked filing cabinet and is shredded after the relevant retention period.
- When a child leaves Noah's Ark their Learning Journeys are given to parents and a Leavers report will be sent to the receiving schools whom may request general information on children who will be starting with them in order to help their settling in process. This is generally provided in written format.
- Access to all work computers/tablets are password and pin protected.
- When a member of staff leaves, these passwords are changed.

Noah's Ark Preschool



GDPR means that Noah's Ark must:

- Manage and process personal data properly
- Protect the individual's right to privacy
- Provide an individual with access to all personal information held on them