



Together, caring and learning

Data Protection Policy

Salway Christian Pre-School is committed to protecting and respecting the privacy of children and their parents and carers, while ensuring that they access high quality early years care and education in our setting.

Our Privacy Notice sets out the basis on which personal data we collect from you will be processed by us.

This policy sets out the legal framework (GDPR 2018) and our procedures to comply with it.

All personal data will be processed according to the seven principles:

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.
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 us) are complying with the law.

Procedures

Salway Christian Pre-School is registered with the Information Commissioner's Office, the UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.

We expect parents to keep private and confidential any sensitive information they may accidentally learn about any children and families attending the Pre-School unless it is a child protection issue.

We ask parents for personal data about themselves and their child/ren in order to deliver a childcare service (see privacy notice). 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 the London Borough of Redbridge.

Storage

All paper-based records about children and their families are kept securely locked away in cupboards in the church building. Sometimes staff members need to take children's records home to update them. When this happens, they guarantee to keep them securely.

Records kept on the Pre-School computers are encrypted.

Backup files will be stored on an encrypted back up drive, which is locked away when not in use. Up to date firewall and virus protection software are used.

If a member of staff uses a home computer for Pre-School work any reports containing personal data must be printed and deleted or sent via secure email (egress) to the Pre-School computer or saved onto an encrypted USB and transferred to the Pre-School computer. No document should be saved on a staff member's home computer.

All computers used must have up to date firewall and virus protection and lock after 1 minute. They must have a separate secure password for Pre-School work.

Information sharing

Ofsted may require access to our records at any time

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 the London Borough of Redbridge in regards to the childcare and early years entitlements and for monitoring progress.

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

Record keeping

We record all accidents in an accident book.

Ofsted, MASH (multi agency safeguarding hub) and the Health and Safety Executive must be informed of any significant injuries, accidents or deaths as soon as possible.

We record all significant incidents in a child's personal file after they have been shared with parents so that together we can work to resolve any issues.

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 Board procedures and make a referral. Where possible we will discuss concerns with you before making a referral.

Safe disposal of data

All data stored in paper format will be shredded and those kept electronically will be deleted as soon as is allowed by law.

We are required by law to keep some data for some time after a child has left the setting. See attached schedule.

A termly data cleanse ensures this is adhered to.

Subject access

- Whilst we actively encourage the sharing of children's Developmental Records with flexibility and ease, parents must follow the procedure below to request access to any Personal Records held on their child and family.

- Any request to see the child's personal file by a parent or person with parental responsibility must be made in writing to the manager.
- The manager informs the chairperson of the management committee and sends a written acknowledgement.
- Legal advice may be taken before the files are shared.
- The written acknowledgement allows one month for the file to be made ready and available. We will be able to extend this by a further two months where requests are complex or numerous. If this is the case, we will inform you within one month of the receipt of the request and explain why the extension is necessary.
- The manager and chairperson of the management committee prepare the file for viewing.
- All third parties are written to, stating that a request for disclosure has been received and asking for their permission to disclose to the person requesting it. A copy of these letters are retained on the file.
- 'Third parties' include all family members who may be referred to in the records.
- It also includes workers from any other agency, including social services, the health authority, etc. It is usual for agencies to refuse consent to disclose, preferring the individual to go directly to them.
- When all the consents/refusals to disclose have been received these are attached to the copy of the request letter.
- A photocopy of the complete file is taken.
- The setting leader and chairperson of the management committee go through the file and remove any information which a third party has refused consent to disclose. This is best done with a thick black marker, to score through every reference to the third party and information they have added to the file.
- What remains is the information recorded by the setting, detailing the work initiated and followed by them in relation to confidential matters. This is called the 'clean copy'.
- The 'clean copy' is photocopied for the parents who are then invited in to discuss the contents. The file should never be given straight over, but should be gone through by the manager, so that it can be explained
- Legal advice may be sought before sharing a file, especially where the parent has possible grounds for litigation against the setting or another (third party) agency.

All the undertakings above are subject to the paramount commitment of Salway Christian Pre-School, which is to the safety and well-being of the child. Please see also our policy on safeguarding children.

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 and review procedures to prevent a recurrence.

Policy updated May 2018