



The Royal Naval Preschool learning Organisation
(RNPSLO)

General Data Protection Regulation 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 & 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. RNPSLO is committed to protecting the rights and freedoms 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.

GDPR includes 7 rights for individuals^[SEP] ^[SEP]

1) The right to be informed

RNPSLO 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 Plymouth City Council; this information is sent to the Local Authority via a secure electronic file transfer system.^[SEP]

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


As an employer RNPSLO is required to hold data on its employees; names, addresses, email addresses, telephone numbers, date of birth, National Insurance numbers 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 UK Check for the processing of DBS checks.

RNPSLO uses cookies on its website to collect anonymous data. For Further information please refer to the Privacy and

Cookie policy detailed on the website at www.jackandjillschildcare.co.uk

2) The right of access

RNPSLO is a charity registration no 1040329 registered with the Charities Commission England & Wales. The administration office address is 1 Tiverton Close, Widewell, Plymouth. PL6 7EN 01752 788345

 At any point an individual can make a request relating to their data and RNPSLO will need to provide a response (within 1 month). RNPSLO 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 RNPSLO has a legal duty to keep children's and parents details for a reasonable time*, RNPSLO 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 of leaves employment, before they can be erased. This data is archived securely offsite and shredded after the legal retention period. There is a full Risk Assessment in place for transportation and

storage. A copy of this Risk Assessment can be provided upon request.

4) The right to restrict processing

Parents, visitors and staff can object to RNPSLO 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

RNPSLO requires data to be transferred from one IT system to another; such as from RNPSLO to the Local Authority, to other shared settings. These recipients use secure file transfer systems and 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. RNPSLO 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 within each of the seven childcare settings run by RNPSLO. 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.

Staff personnel files are kept with a locked filing cabinet at the administration office with restricted access to office employees.

Staff addresses, date of birth , personal banking details, and National Insurance numbers are kept with a locked filing cabinet at the accounts office with strict restricted access. The data held on the electronic system is password protected with restricted access.

RNPSLO 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 on an external hard drive and in paper format, this information is kept in a locked filing cabinet on within the childcare settings. These records are shredded after the relevant retention period.

Upon a child leaving RNPSLO childcare settings and moving on to school or moving settings, data held on the child may be shared with the receiving school. Such information will be shared via a secure file transfer system and the parent/carer will be given the data to deliver to the receiving school.

RNPSLO Childcare settings store personal data held visually in photographs. No names are stored with images in photo albums, displays, on the website or on RNPSLO Childcare social media sites.

Access to all Office and childcare setting computers are 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.

GDPR means that RNPSLO must:^[L]_[SEP]* Manage and process personal data properly^[L]_[SEP]* Protect the individual's rights to privacy^[L]_[SEP]* Provide an individual with access to all personal information held on them.

Signed by

Date

This Policy will be reviewed date: December 2018

- Please see attached Preschool Learning Alliance Retention periods for records.

• Children's records	Retention period	Status	Aut
Children's records - including registers, medication record books and accident record books pertaining to the children	A reasonable period of time after children have left the provision (e.g. until after the next Ofsted inspection)	Requirement	Statu Early Stag Child
	Until the child reaches the age of 21 - or until the child reaches the age of 24 for child protection records	Recommendation	Limit Norm mea claim pers after pers after post reac
Records of any reportable death, injury, disease or			The
	3 years after the date the record	Requirement	Dise Occu

dangerous occurrence	was made		1995 ame
Personnel records	Retention period	Status	Aut

Personnel files and training records (including disciplinary records and working time records)	6 years after employment ceases	Recommendation	Char Pers
DBS check	6 months	Recommendation	DBS The infor after dest the r type for w requ refer deta

			decis
<i>Pay</i>			
Wage/salary records (including overtime, bonuses and expenses)	6 years	Requirement	Taxe
Statutory Maternity Pay (SMP) records	3 years after the end of the tax year to which they relate	Requirement	The (Ger
Statutory Sick Pay (SSP) records	3 years after the end of the tax year to which they relate	Requirement	The (Ger
Income tax and National Insurance	At least 3 years after the end of the tax year to	Requirement	The (Emp 1993

returns/records	which they relate		
Redundancy details, calculations of payments, refunds, notification to the Secretary of State	6 years after employment ends	Recommendation	Char Pers
<i>Health and safety</i>			
Staff accident records (for organisations with 10 or more employees)	3 years after the date the record was made (there are separate rules for the recording of accidents involving hazardous substances)	Requirement	Soci Payr
Records of any	3 years after the		

reportable death, injury, disease or dangerous occurrence	date the record was made	Requirement	The Disease Occurrence Regulations 1995
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Accident/medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH)	40 years from the date of the last entry	Requirement	The Hazardous Substances Regulations
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Assessments under Health and Safety Regulations and records of consultations with safety representatives and committees	Permanently	Recommendation	Charity (Pers)
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Financial	Retention	Status	Aut
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records	period		
Accounting records	3 years from the end of the financial year for private companies, 6 years for public	Requirement	Com
	limited companies		
	6 years for charities	Requirement	Char
Administrati on records	Retention period	Status	Aut
Employers' liability insurance records	For as long as possible	Recommendation	Heal

Minutes/minute books	10 years from the date of the	Requirement	Com
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	meeting for companies		
	6 years from the date of the meeting for Charitable Incorporated Organisations	Requirement	The Orga Regu
		Recommendat ion	Char Pers
	Permanently		

Useful publications

More detailed information on retention of financial records is provided in *Financial Management* (Ref: A119) Pre-school Learning Alliance, which can be ordered from www.pre-school.org.uk/shop.

The Pre-school Learning Alliance is the largest and most representative early years membership organisation in England. An educational charity, the Alliance represents the interests of over 14,000 member settings who deliver care and learning to over 800,000 families every year. We offer information and

advice, produce specialist publications, run acclaimed training and accreditation schemes and campaign to influence early years policy and practice.

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