



General Data Protection Regulation (GDPR)

In May 2018 an EU law called the General Data Protection Regulation (GDPR) came into effect. It has replaced the Data Protection Act 1998 and gives individuals greater control over their own personal data.

The GDPR principles

All data collected must be:

1. Processed fairly, lawfully and in a transparent manner in relation to the data subject.
2. Collected for specified, explicit and legitimate purposes and not further processed for unrelated or incompatible other purposes.
3. Adequate, relevant and limited to what is necessary in relation to the purposes for which data is processed.
4. Accurate and up to date.
5. Kept in a form that permits identification of data subjects for no longer than is necessary for the purpose for which the data was collected.
6. Processed in a way that ensures appropriate security of the personal data including protection against unauthorised processing, accidental loss, destruction or damage using appropriate technical and organisational measures.

Moulton Pre-School are 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 and provides a framework to ensure that personal data is handled correctly.

Personal data is information that relates to an identifiable living individual that is processed as data. Processing amounts to collecting, using, disclosing, retaining or disposing of information. The General Data Protection Regulation principles apply to all information held electronically or in structured paper files.

What personal data we collect

Moulton Pre-School collect personal data about you and your child to provide the care and learning that is tailored to meet each child's individual needs. We also collect information in order to verify your eligibility for funded childcare as applicable. Personal details we gather about your child includes:

- Child's name, date of birth, address, health and medical information, development needs and any other special educational needs that we may need to be aware of.

Where applicable, we will obtain child protection plans from social care and health care plans from health professionals including speech and language and those working close within the family. We will also ask for any information regarding parental responsibility for your child and any court orders pertaining to your child.

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07891 526 469



enquiry@moultonpre-school.org.uk

GENERAL DATA PROTECTION REGULATION (GDPR)

Personal details that we will collect from you (the parent/carer) include:

- Your name, home and work address, contact numbers, emergency contact numbers and family details.

This information will be collected from you directly in the registration forms. If your child is eligible for EYPP, two year funding or thirty hours funded childcare then we will also need to collect from you:

- Your national insurance number and date of birth. In some cases, we may also need to collect any information regarding benefits and family credits that you are in receipt of.

Copies of contact details including names, telephone numbers and emergency contact numbers are stored on Pre-School's telephone address book, stored in a document on the office computer and a paper copy is also used in the room, to allow us, should we need to, contact you in an emergency promptly and efficiently. The storing of your contact details also applies to text messaging and emails should we need to contact you with any important information. Moulton Pre-School may keep your contact number stored on the phone and computer for up to a year after your child has left our setting. This is to ensure that any information, such as unpaid accounts can be dealt with accordingly. After this period, deletion will take place across both Pre-Schools phone and computer.

Why we collect this information and the legal basis for handling your data

We use personal data about you and your child in order to provide childcare services and fulfil the contractual arrangement you have entered into. This includes using your data to:

- Contact you in case of an emergency.
- Support your child's wellbeing and development.
- Manage any special educational, health or medical needs of your child whilst at our setting.
- Carry out regular assessments of your child's progress and to identify any areas of concern.
- Maintain contact with you about your child's progress and respond to any questions you may have.
- Process your claim for EYPP, 2 Year funding, 15 hours funding or 30 hours funded childcare. (only where applicable)
- Keep you updated with information about our service.
- Support 2 year funding with the Children centres.

We will also record your child's daily activities for their individual learning record. This will be held online within a Tapestry account which parents and carers with responsibility to the child can access at any time. In some cases, observations may include photographs and videos of your child. You have the opportunity to withdraw your consent for images being taken by confirming so in the registration forms.

We have a legal obligation to process safeguarding related data about your child should we have concerns about their welfare. We also have a legal obligation to transfer records and certain information about your child to the school that your child will be attending.



Who we share your data with

In order for us to deliver childcare services we will also share your data as required with the following categories of recipients:

- Ofsted – during an inspection or following a complaint about our service.
- The Local Authority (where you claim EYPP, 2 Year funding, 15 hours funding or 30 hours funded childcare as applicable.)
- The government’s eligibility checker (as above)
- Our insurance underwriter (if applicable.)
- The school that your child will be attending.
- Other profession bodies, such as your families’ health visitor, GP or speech and language team etc.

We will also share your data if:

- We are legally required to do so, for example, by law, by a court or the Charity Commission.
- To enforce or apply the terms and conditions of your contract with us.
- To protect your child and other children; for example by sharing information with social care or the police.
- It is necessary to protect our rights, property or safety.
- We transfer the management of the setting, in which case we may disclose your personal data to the prospective owner so they may continue the service in the same way.

We will never share your data with any other organisation to use for their own purposes

How do we protect your data?

We protect unauthorised access to your personal data and prevent it from being lost, accidentally destroyed, misused, or disclosed by:

- Ensuring documentation is stored in a locked cabinet within a locked office.
- Ensuring electronic devices are password protected and any data stored is stored securely.
- Ensuring antivirus software is regularly run on the computers.
- Ensuring passwords and usernames are changed periodically.
- Ensuring the same password and username are never used again.
- Ensuring procedures are in place in order to transport documents.
- Ensuring that shared data with outside agencies is password protected.
- Ensuring all staff/committee/trustees are trained in General Data Protection Regulations.

How long do we retain your data?

We retain your child’s personal data for up to 21 years and 3 months after your child has left our setting, or until our next Ofsted inspection after your child leaves our setting. The inspection cycle is usually between 3 and 8 years.

Your child’s learning and development records are maintained by us during their time at our setting on Tapestry (an online learning journey portal), this is placed on to a usb pen drive for you when you’re child leaves and your child’s details will be deleted from our system after 90 days. Children’s accident and injury records are held for 19 years.

Staff Responsibilities

Staff need to know and understand:

- How to manage, keep and dispose of data.
- The Pre-School's procedures in relation to children's records, tapestry accounts, email, all social media, taking photos in the Pre-School, mobile technology and the Pre-School website.
- When they are allowed to share information with others and how to make sure it is kept secure when shared.

Your rights with respect to your data

You have the right to:

- Request access, amend or correct your/your child's personal data.
- Request that we delete or stop processing your/your child's personal data, for example where the data is no longer necessary for the purposes of processing and request that we transfer your, and your child's personal data to another person.
- If you refuse to consent to the data required for your child's safeguarding or if it is a requirement in line with the Early Years Foundation Stage Welfare requirements or in legislation we reserve the right to decline your child a place or terminate your contract with the Pre-School.

You have the right to access personal data collected about you and your child and this information will be shared with you on request. At any point, an individual can make a request relating to their data and we will provide a response within a month. Moulton 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 reason for rejection.

If you wish to exercise any of these rights at any time or if you have any questions, comments or concerns about this privacy notice, or how we handle your data please contact us. If you continue to have concerns about the way your data is handled and remain dissatisfied after raising your concern with us, you have the right to complain to the Information Commissioner Office (ICO). Alternatively, you may wish to speak directly to Ofsted. (Details of how complaints can be made are found on our Complaints Policy.

Changes to this notice

We keep this notice under regular review. You will be notified of any changes where appropriate.

How do we delete your data?

Family records, including any files in regards to both you and your child are deleted when no longer required, including any duplicate and backed up files. Any information, photographs or artwork from your child in paper format are passed onto parents/carers upon the child leaving the setting. Any other type of documentation we hold of you or your children will be cross-cut shredded and recycled appropriately. You have the right to request the deletion of your data where there is no compelling reason for its continued use. However we have a legal duty to keep children's and parent's details for a reasonable time.



Electronic Devices and Equipment

Moulton Pre-School use tablets in setting to document any observations of your child and to photograph your child in action or play. We use these photographs to upload onto Tapestry where any authorised parent and carer are able to access. Any photographs, stored or printed, will be handed back to parents/carers once the child has left the setting. Any remaining photographs which are not collected will be deleted or shredded accordingly. Staff members are allocated to their own tablet and are responsible to regularly update their password. Staff tablets are kept within the setting during the day and are stored in a locked cabinet at the end of each working day.

