

8. 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 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 individuals data is not processed without their knowledge and are only processed with their 'explicit' consent. GDPR covers personal data relating to individuals. Bradley Playgroup 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.

Bradley Playgroup is registered with the ICO (Information Commissioners Office). Certificates are on display on the parent's information boards in our parents notice board area.

GDPR includes 7 rights for individuals

1) The right to be informed

Bradley Playgroup is registered with CIW and is subject to inspections from CIW alongside inspections from Estyn and we are a member of Early years Wales, and as so, we are required to collect and manage certain data. We need to know parents' names, addresses and telephone numbers. We need to know children's' full names, addresses, date of birth, doctor's name and address of surgery, allergy information and parental responsibility.

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

As an employer Bradley Playgroup is required to hold data on its employees; names, addresses, email addresses, telephone numbers, date of birth, National Insurance numbers, certificates of qualifications are to be held for a retention period of 6 years.

2) The right of access

At any point an individual can make a request relating to their data and Bradley Playgroup will need to provide a response (within 1 month). Bradley Playgroup can refuse a request, if we have a lawful obligation to retain data i.e. from CIW 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, Bradley Playgroup has a legal duty to keep children's and parents details for a reasonable time. Bradley Playgroup retain these records for 3 years after leaving playgroup, 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 Safeguarding and Insurance records. Staff records must be kept for 6 years (or 7 years if there is a breach of contract, senior management records are kept for life) after the member of staff leaves employment, before they can be erased. This data is archived securely onsite and shredded after the legal retention period.

4) The right to restrict processing

Parents, visitors and staff can object to Bradley Playgroup 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

Bradley Playgroup requires data to be transferred from one IT system to another; such as from Bradley Playgroup to Wrexham Funded Early Education or the Local Authority. 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. Bradley Playgroup does not use personal data for such purposes.

7) The right not to be subject to automated decision-making including profiling.

Automated decisions and profiling are used for marketing-based organisations. Bradley Playgroup does not use personal data for such purposes.

8) Storage and use of personal information

All paper copies of children's and staff records are kept in a locked cupboard. Members of staff at Bradley Playgroup 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/ incinerated 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/ incinerated after the relevant retention period.

Bradley Playgroup 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 encrypted laptop and the Funded Early Education Chromebook, which is password protected and in paper format. This information is kept in a locked cupboard in Bradley Playgroup. These records are shredded/ incinerated after the relevant retention period.

Upon a child leaving Bradley Playgroup and moving on to school, data held on the child may be shared with our feeder school Gwersyllt C.P. or other schools with parental consent.

Bradley Playgroup stores personal data held visually in photographs once written consent has been obtained. No names are stored with such images. Bradley Playgroup now gains permission through the contract, from the parents/guardians of each individual child, to upload images of the children who have consent to the Bradley Playgroup Facebook page and Advertising purposes. Photographs will be related to developmental milestones.

GDPR means that Bradley Playgroup 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 **General Data Protection Regulation** policy was passed for use in **Bradley Playgroup**

On: **1st March 2024**, 22nd March 2023, 01/04/22 04/03/21, 01/04/2019 and 23rd April 2018

Amended on: 22nd March 2023, 6th September 2022, 3rd November 2021, 30th September 2021, 04/10/2019

By: **Alexzandra Newland**

Position: ***Lead Supervisor***

Date of planned review: **March 2025**

Privacy Policy

The Data Protection Act 1998 gives you various rights to do with the information that businesses, the Government and other organisations hold about you.

Personal information that Bradley Playgroup uses and holds is covered by the Data Protection Act.

This note is to make sure you are fully aware of how we may use your personal information should you send your child to Bradley Playgroup. It covers the areas set out below:

How We Collect Information about You

When you send your children to Bradley Playgroup, we receive information about you and any children who attend Bradley Playgroup in a number of different ways.

You may give us the information when you:

- Fill out the form in our welcome pack
- When you let us know about a change in your personal circumstances (e.g., change of name or address).
- We may receive it from another organisation, for example, Flying Start, Early Entitlement, Education or Social Services etc.

How We Use Personal Information

We use information that we have about you and your children for business purposes. These purposes generally fall into the following areas.

1) Administration – This applies to past, current and potential future children and their parents / guardians.

We use this information for the provision of child care.

The types of personal information we collect and use may include:

- The personal details of your child;
- The payment of fees due;
- Details of the child's family (so we can contact you in case of an emergency);
- Medical information (so we can cater for any allergies/illnesses or additional needs)

2) Provision of Education – This applies to past, current and potential future children and their parents / guardians.

We use this information to ensure that your child's development needs are catered for.

The types of information we collect and use include:

- Observations (so we can ensure your child's development needs are catered for).

3) Keeping you informed – This applies to current, past and potential future children and their parents / guardians. We

use this information to keep you updated about events at Bradley Playgroup (e.g. to let you know about events and changes to schedules).

The types of information we collect and use may include:

- Email address - So we can email you updates.
- Phone numbers - So we can text you with changes in our service
- Details of all events and notices will always be posted on the Bradley Playgroup daily noticeboard and our Facebook page.

How Long We Keep Personal Information

We are required to keep certain personal information including registers, medication record books and accident record books pertaining to the children for at least 3 years after the child has left Bradley Playgroup (sometimes much longer – please refer to the Data Retention Chart). This is in order to comply with CIW, Child Minding and Day Care (Wales) Regulations 2010 and other legislation (e.g. Limitation Act 1980/The Statute of Limitations (Amendment) Act 1991).

Who We Share Personal Information With

Generally, we only use your information within Bradley Playgroup. There are some occasions when we need to share personal information about you and / or your child with third parties. These are:

- If your child is entitled to Early Education (funding for 3 year olds), we will liaise with Wrexham Council Education Department with regards to your child's educational progress / needs.
- We may on occasion use your personal information for the purposes of recovery of overdue fees.
- In case of an emergency, we may need to share with the emergency services details of your child including details of any medical conditions as provided to us by you.
- Bradley Playgroup works in partnership with the feeder school Gwersyllt C.P. Therefore, information may be shared on a need to know basis with the Nursery class teacher.

Where We Process Personal Information

We will only store and use your personal information in the United Kingdom.

Our Commitment to You

We will process your personal information in line with the Data Protection Act 1998. This means that we will:

- only collect and hold information about you which we need for some reason;
- keep your personal information up to date and accurate (to help us do this please inform us as soon as possible to any changes)
- take appropriate steps to protect your personal information from being used without permission, or illegally, and to safeguard your rights; and
- destroy your personal information by shredding or deleting from our computer systems once we no longer need it.

What Rights You Have Over Your Personal Information

You have certain rights over your personal information. Most importantly, you have a right to ask for a copy of all the personal information we hold about you but there are some legal exceptions to this, such as information which is confidential to Bradley Playgroup. If you would like a copy of your personal information, you should contact the Lead Supervisor – Alexzandra Newland/ Alexzandra Newland. If a security breach occurs we will contact the ICO and inform the people affected.

Use of Cookies by Bradley Playgroup

Bradley Playgroup's website currently does not use cookies.

This **Privacy Policy** was passed for use in Bradley Playgroup

On: **1st March 2024**, 22nd March 2023, 04/03/21, 01/04/19 and 23rd April 2018 Amended: 19th September 2023, 6th September 2022, 30th September 2021, 4th October 20219

By: Alexzandra Newland

Position: Lead Supervisor

Review: March 2025

Data Retention Chart

Children's records	Retention period	Status	Authority
Children's records	3 years	Requirement	CIW
Registers, medication record books and accident record books pertaining to the children	Until the child reaches the age of 21 - or until the child reaches the age of 24 for safeguarding records	Recommendation	Insurance Providers (check with your insurer)
Records of any reportable death, injury, disease or dangerous occurrence	3 years after the date the record was made	Requirement	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (as amended)
Personnel records	Retention period	Status	Authority
Personnel files and training records (including disciplinary records and working time records)	6 years after employment ceases Senior management records are kept for life.	Recommendation	Chartered Institute of Personnel and Development
Pay			
Wage/salary records (including overtime, bonuses and expenses)	5 years	Requirement	Taxes Management Act 1970
Statutory Maternity Pay (SMP) records	3 years after the end of the tax year to which they relate	Requirement	The Statutory Maternity Pay (General) Regulations 1986
Income tax and National Insurance returns/records	At least 5 years after the end of the tax year to which they relate	Requirement	The Income Tax (Employments) Regulations 1993 (as amended)
VAT Records			

DATA RETENTION CHART			
Redundancy details, calculations of payments, refunds, notification to the Secretary of State	6 years after employment ends	Recommendation	Chartered Institute of Personnel and Development
Health & Safety			
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	Social Security (Claims and Payments) Regulations 1979
Records of any reportable death, injury, disease or dangerous occurrence	3 years after the date the record was made	Requirement	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (as amended)
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 Control of Substances Hazardous to Health Regulations 2002 (COSHH)
Assessments under Health and Safety Regulations and records of consultations with safety representatives and committees	Permanently	Recommendation	Chartered Institute of Personnel and Development
Financial records	Retention period	Status	Authority
Accounting records	3 years from the end of the financial year for private companies, 6 years for public limited companies	Requirement	Companies Act 2006
Accounting records for charities	6 years for charities	Requirement	Charities Act 2011

Administration records	Retention period	Status	Authority
Employers' liability insurance records	40 years	Recommendation	Child Minding and Day Care (Wales) Regulations 2010 (as amended)
Public Liability Insurance records	21 years 4 months	Requirement	Child Minding and Day Care (Wales) Regulations 2010 (as amended)
Minutes/minute books	10 years from the date of the meeting for companies	Requirement	Companies Act 2006
Minutes/minute books	6 years from the date of the meeting for Charitable Incorporated Organisations	Requirement	The Charitable Incorporated Organisations (General) Regulations 2012
Minutes/minute books	Permanently	Recommendation	Chartered Institute of Personnel and Development

Useful information

Guide to the General Data Protection Regulation (GDPR) - <https://ico.org.uk/media/for-organisations/guide-to-the-general-data-protection-regulation-gdpr-1-0.pdf>

General Data Protection Regulation/Privacy Consent Form

I have read and consent to Bradley Playgroup retaining information about my

child:.....

and myself (parent/guardian*):

.....

to be used as stated in the GDPR and privacy policies. I understand that all information retained by is Bradley Playgroup kept for the time periods stated on the Data Retention Chart and that I can request to look at any records held at any time.

*delete as applicable.