

General Data Protection Regulation (GDPR) Policy

General Data Protection Regulation (GDPR) 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. Merry go Round Day Nursery 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. Merry go Round Day Nursery is registered with the ICO (Information Commissioners Office). Certificates are on display on the information boards in all settings.

GDPR includes 7 rights for individuals

The right to be informed

Merry go Round Day Nursery 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 Herefordshire Council; this information is sent to the Local Authority via a secure electronic file transfer system.

We are required to collect certain details of visitors to our nurseries. We need to know visitor names and where appropriate company name. This is in respect of our Health and Safety and Safeguarding Policies.

As an employer **Merry go Round Day Nursery** is required to hold data on its employees; names, addresses, email addresses, telephone numbers, date of birth, National Insurance numbers, photographic ID such as passport and driver's license, 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 Capita DBS for the processing of DBS checks.

The right of access

Merry go Round Day Nursery is a company registered in England & Wales.

Registration No: **07860492**

At any point an individual can make a request relating to their data and Merry go Round Day Nursery will need to provide a response (within 1 month). Merry go Round Day Nursery 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.

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, Merry go Round Day Nursery has a legal duty to keep children's and parents details for a reasonable time*, Merry go Round Day Nursery retain these records for 6 years after leaving nursery, children's accident and injury records for 6 years, and 21 years (or until the child reaches 25 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.

The right to restrict processing

Parents, visitors and staff can object to Merry go Round Day Nursery processing their data. This means that records can be stored but must not be used in any way, for example reports or for communications.

The right to data portability

Merry go Round Day Nursery requires data to be transferred from one IT system to another; such as from Merry go Round Day Nursery to the Local Authority, to shared settings and to Tapestry Online Learning Journal. These recipients use secure file transfer systems and have their own policies and procedures in place in relation to GDPR.

The right to object

Parents, visitors and staff can object to their data being used for certain activities like marketing or research.

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

Automated decisions and profiling are used for marketing based organisations. Merry go Round Day Nursery 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 securely. 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.

Merry go Round Day Nursery 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.

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Information regarding families' involvement with other agencies is stored in paper format, this information is kept in a locked office. These records are shredded after the relevant retention period.

Upon a child leaving Merry go Round Day Nursery and moving on to school or moving settings, data held on the child may be shared with the receiving school. Such information will be sent to the relevant school.

For children attending school outside Herefordshire Council the parent/carer will be given the data to deliver to the receiving school.

Access to all Office computers and Tapestry Online Learning Journal is password protected. When a member of staff leaves the company these passwords are changed in line with this policy. Any portable data storage used to store personal data, e.g. USB memory stick, are password protected.

GDPR means that Merry go Round Day Nursery 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

Adoption Date: 1st September 2020.

Signed:

Nm Orel

Annual Review

Reviewed 1st September 2021

Reviewed 1st September 2022

Reviewed and amended 1st September 2023

Next review 1st September 2024