



GENERAL DATA PROTECTION REGULATION POLICY

Statement

GDPR stands for General Data Protection Regulation and replaces the previous Data Protection Directives. 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. Harvey Bears Nursery and Pre-School is committed to protecting the rights and freedoms of individuals with respect to the processing of children's, parents, visitors and staff personal data.

GDPR INCLUDES 7 RIGHTS FOR INDIVIDUALS

1. The right to be informed

Harvey Bears Nursery and Pre-School 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 the local authority; 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 pre-schools. We need to know visit names, telephone numbers, addresses and where appropriate company name. This is in respect of our Health and Safety and Safeguarding Policies.

As an employer Harvey Bears Nursery and Pre-School 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.

2. The right of access

At any point an individual can make a request relating to their data and Harvey Bears Nursery and Pre-School will need to provide a response (within 30 days). Harvey Bears Nursery and 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 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 Harvey Bears Nursery and Pre-School has a legal duty to keep children's and parents details for a reasonable time*, Harvey Bears Nursery and Pre-School 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 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, staff and committee can object to Harvey Bears Nursery and Pre-School 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

Harvey Bears Nursery and Pre-School requires data to be transferred from one IT system to another; such as from Harvey Bears Nursery and Pre-School to the Local Authority and to 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, staff and committee 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. Harvey Bears Nursery and Pre-School does not use personal data for such purposes.

Storage and use of personal information

Please refer to the Preschool Learning Alliance Retention Periods for records.

GDPR means that Harvey Bears Nursery and Pre-School 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 policy was adopted at a meeting of Harvey Bears Nursery and Pre-School Held on: 06.11.18

Date to be reviewed: 06.11.19

Signed on behalf of the management committee

Name of signatory: Emma Heaton

Role of signatory (e.g. chair/owner): Chair