

DATA PROTECTION POLICY ¹

The Data Protection Officer for Greenwoods Nursery are: **Anna Bevan & Jessica Newman**

Aim - Greenwoods Nursery is dedicated to ensuring that all information stored about parents and carers, children and staff are kept as secure as possible at all times and stored in accordance to the General Data Protection Regulation (GDPR) EU Directive May 2018.

Principles of data protection

The nursery is committed to the enforcement of the following code of good practice and informing our staff, children, parents, carers & other professionals in relation to the data it holds. In summary, personal data will:

- Be fairly and legal processed;
- Be relevant to the needs of the nursery setting;
- Not be unnecessarily excessive in detail;
- Be accurately maintained;
- Not be kept longer than necessary, or requires by law;
- Only be used in accordance with the individuals subjects rights;
- Be securely stored.
- A data audit summary of personal information held at the nursery.
- Be registered with ICO commission and display the certificate in the office.

Communications with parents

To help fulfil their important role in their child's education and to be as informed as possible in any communications or discussions with practitioners, parents are requested and encouraged to communicate any concerns or difficulties, interests or aspirations that are either specific to, or seriously affecting their child's education. Staff record and deal with this information in a confidential and professional manner.

General Information & Educational Records

Children' Confidential copies of summative reports and observations, pupil profiles, assessment results and portfolios of work are kept as general information on Family. Such curricular records comprise the major part of a children's educational record. Contents of educational records must be disclosed to parents upon request within a specified time, to another nursery which is considering a child for admission, or which has a child attending their setting as well as ours (shared setting).



Medical/Confidential Information

Pupils Confidential medical information and reports (e.g. Social Services and Psychological Reports) are also kept confidential and on show if needed (allergy/intolerance cards):

- Personal details, doctor's name/address/telephone number.
- Treatment needed regularly (e.g. asthma prevention).
- Relief treatment (e.g. asthma reliever) if required. The Manager (or those with delegated authority) can decide not to disclose/transfer/copy/amend a child's record. There are two special considerations relating to Child Protection:
 - The Education (Nurseries' Records) Regulations 1989 exempt any information relating to actual, alleged or suspected child abuse from the requirements of disclosure to those with 'Parental Responsibility' (Children Act 1989);

Policy:

Data Gathering

- All personal data relating to staff, children and their families or other people of whom we have contact, whether held on computer or in paper files, are covered by the Act.
- Only relevant personal data may be collected and the person from whom it is collected should be informed of the data's intended use and any possible disclosures of the information that may be made.

Data Storage:

- Personal data will be stored in a secure and safe manner.
- Electronic data will be protected by a password and firewall systems operated by the Manager & Assistant Manager (please refer to our E policy)
- Computer workstations are positioned in the office. Management/ staff using the systems will remain conscious of casual observers.
- Manual data will be stored where it is not accessible to anyone who does not have a legitimate reason to view or process that data.
- Staff may carry data on memory sticks or other removable data carriers in order to access their files at the nursery. However, the memory sticks do not leave site
- Particular attention will be paid to the need for security of sensitive personal data.
- Strict checks are applied to determine the length of time information is held.



Data Checking:

- The nursery will issue regular reminders to staff and parents to ensure that personal data held is up to date and accurate.
- Any errors discovered will be rectified and, if the incorrect information has been disclosed to a third party; any recipients will be informed of the correct data.

Data Disclosures:

- Personal data will only be disclosed to organizations or individuals for whom consent has been given to receive the data, or organizations that have a legal right to receive the data without consent being given (safeguarding policy)
- When requests to disclose personal data are received by telephone, it is the responsibility of the nursery to ensure the caller is entitled to receive the data and they are who they say they are. It is good practice to call them back, preferably by a switchboard, to ensure the possibility of fraud is minimized.
- If a personal request is made for personal data to be disclosed, it is again the responsibility of the nursery to ensure the caller is entitled to receive the data and that they are who they say they are. If the person is not known personally by the nursery, proof of identity must be requested. It may be necessary for the caller to request data in writing.
- Requests for children's names for Birthday parties and Christmas card lists can be given by a member of permanent nursery staff. Note only children's first names should be given and their classroom.
- Separate parental consent is sought for group photographs of children prior to them being displayed or distributed. Consent should clearly identify the purpose for the photograph and its use as well as who will receive photos; this includes learning journeys.
- Personal data will not be used in newsletters, website or other media without prior consent from the subject.
- Restricted staff members of the nursery will access personal data on a need to know basis in the course of executing their duties. The qualified (level 3 or above) professional staff requiring such data is fully aware of the obligations the nursery has under the Data Protection Act, and they will only use the data for the purposes for which it is collected.

CCTV:

- Images of people are covered by the GDPR act, and so is information about people, which is derived from images – for example, vehicle registration numbers. The use of

CCTV at the nursery is covered by the Act. This is regardless of the number of cameras or how sophisticated the equipment is.

Purpose of CCTV

The CCTV at the nursery is used to safeguard the children as well as staff and other adults on the premises. The CCTV is used outside the premises, with the cabin & entrance to the toilet. The security of the premises is also recorded when the nursery is closed this also includes the car park area. Management may decide to use the CCTV as part of supervision and monitoring practices of staff throughout the nursery. This will be discussed with individual staff members and a written report will be kept on their employment records; this will support quality and the delivery of our service. All benefits from installing CCTV at the nursery have been considered.

Retention

- Recordings of CCTV will be kept on the hard drive for 28 days. There is no time scale stated in the Act; however due to the nature of the organization and the vulnerability of our children we feel this is an appropriate time scale.
- In the event of recordings being copied and kept for safeguarding concerns, criminal offences or any other practices deemed inappropriate by management; Individuals concerned will be informed of this in writing.
- Images will be recorded onto a USB memory stick and kept in a designated area until the footage is no longer required.
- During inductions all staff is made aware of the CCTV and sign a consent form, providing permission for images to be recorded; in guidance with the policies and procedures in place at the nursery.

Processing of Visual Images:

Greenwoods Nursery allows the taking of visual images in the form of photos, videos or other means, in its nursery activities. It is pertinent to point out that the nursery is only responsible for visual images taken by nursery representatives. Upon admittance of children in the nursery, consent will be sought from parents/legal guardians where visual images are:

- Taken by nursery representatives in non-curricular activities;
 - Used for communication purposes by publishing them on;
1. Printed matter including internal and external publications (e.g. nursery newsletter and annual /transitional reports);
 2. Nursery notice boards
 3. Media – including newspapers and television

4. The internet (nursery and Education Division web sites);

- Used for any other purpose other than administrative, nursery functions, historic and communications purposes. The consent given by parents/legal guardians may be withdrawn after informing the nursery manager or owner in writing. No visual image of the child in question will be taken after the consent has been withdrawn.

When a professional photographer is engaged by the nursery, the nursery shall ensure that the photographer understands data protection considerations and that he/she is able to satisfy all responsibilities and obligations in accordance with the Data Protection Act. This relationship will be regulated by a contract between the nursery and the photographer. Visual images are retained for a period of 3 years except for those selected to be kept for historic records of the nursery.

Retention of Personal Data:

The nursery does not hold any data longer than necessary, having considered the purposes for processing. In this regard, all personal data relating to children and their parents/legal guardian will be held for the period during which the child attended the nursery, with the exception of records selected to be kept for record purposes, and statistical data. Visual images not selected for historic record purposes will be kept for three years only. It is important that any other record indicating the educational progress of the child is to be appropriately preserved by the parents/legal guardian for future use.

Child and Parent/ Legal Guardian Rights:

Parents/legal guardians are entitled to be provided with:

1. Actual information processed about their child
2. A Registration form where this information has been collected;
3. The purpose for processing such information;
4. Details about the recipients to whom data is disclosed;
5. Knowledge of the logic involved in any processing of data concerning the child

The request has to be made in writing duly signed by the parents/legal guardians and addressed to the manager of the nursery or the owner of the nursery. Requests concerning children are to be made by their parents/legal guardian on behalf of the child.

The nursery aims to comply as quickly as possible with requests for access to personal information and will ensure that it is provided within a reasonable time, unless there is a good reason for delay. When a request for access cannot be met within a reasonable time, the reason will be explained in an email to the parent/legal guardian making the request.

In the event that personal data prove to be incorrect, the parent/legal guardian concerned may request to rectify, erase or not to use the information in question.



General Welfare Requirement: The provider must take necessary steps to keep children safe and well.

Enquiries:

All enquiries related to this nurseries data Protection Policy are to be addressed as follows:

***Anna Bevan/Jessica Newman
Greenwoods Nursery
Former Management training centre,
Prosper Lane,
Coalway,
Coleford.
GL16 7JY
(01594) 836766***

This policy has been reviewed and approved by the manager. The Data Protection Policy reviewed and updated as necessary every 12 months or when changes in practice/legislation require the nursery to.

Policy was adopted on: 15.5.18, 15.5.19, 14.5.20, 10.4.21, 23.8.22

Management signature: *A Bevan*

Re-checked on date: 20/10/2023