



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 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. Victoria Place 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 GDPR gives individuals the right to know what information is held about them. It provides a framework to ensure that personal information is handled properly.

Victoria Place (the trading name of Victoria Place Education Ltd) is registered with the ICO (Information Commissioners Office)

GDPR includes 7 rights for individuals

1) The right to be informed

Victoria Place 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. We need to know children's' full names, addresses, date of birth. For parents claiming Early Education Funding we are requested to provide this data to Richmond 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 Victoria Place. We need to know visitors names, address and telephone numbers. This is in respect of our Health and Safety and Safeguarding Policies.

As an employer Victoria Place 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 for the processing of DBS checks.

2) The right of access

At any point an individual can make a request relating to their data and Victoria Place will need to provide a response (within 1 month). Victoria Place can refuse a request, if we have a lawful obligation to withhold data e.g. from Ofsted in relation to the EYFS, but we will inform the individual of the reasons for the withholding. The individual will have the right to complain to the ICO if they are not happy with the decision.

3) The right of erasure

You have the right to request the deletion of your data where there is no compelling reason for its continued use. However, Victoria Place has a legal duty to keep children's and parents details for a reasonable time*, Victoria Place retain these records for 3 years after leaving the setting, 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 leaves employment, before they can be erased. This data is held securely offsite and shredded after the legal retention period.

4) The right to restrict processing

Parents, visitors and staff can object to Victoria Place 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

Victoria Place requires data to be transferred from one IT system to another; such as from Victoria Place 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. Limited information is shared with Local Authority and professional outside agencies, for example, Speech and Language and Safeguarding Reports. Parents are required to give written consent for these to be transferred.

6) The right to object

Parents, visitors and staff 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. Victoria Place 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 in a locked office in Victoria Place. 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.

Victoria Place 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 external hard drive and in paper format, this information is kept in a locked office. These records are shredded after the relevant retention period.

Upon a child leaving Victoria Place and moving on to school or moving settings, data held on the child is shared with the receiving school and at the Local Authority Transition evening. For children attending school outside Richmond Council the parent/carer will be given the data to deliver to the receiving school.

Victoria Place only stores personal data held visually in photographs or video clips or as sound recordings, when written consent has been obtained. No names are stored with images in photo albums, displays, on the website or on Victoria Place social media sites.

Access to all Office computers and Tapestry Online Learning Journal is password protected. Any portable data storage used to store personal data, e.g. USB memory stick, are password protected and/or stored in a locked office.

Victoria Place has a comprehensive Safeguarding Policy which staff adhere to and that ensures that parents' permission is always sought, when necessary, in relation to Data Protection.

GDPR means that Victoria Place must;

- * Manage and process personal data properly
- * Collect for specific and explicit legitimate purposes
- * Data must be accurate and kept up to date
- * Information must be held securely
- * Data retained for as long as is necessary for the reasons it was collected
- * Protect the individual's rights to privacy
- * Provide an individual with access to all personal information held on them

Useful publications

More detailed information on retention of financial records is provided in *Financial Management* (Ref: A119) Pre-school Learning Alliance, which can be ordered from www.pre-school.org.uk/shop.

The Pre-school Learning Alliance is the largest and most representative early years membership organisation in England. An educational charity, the Alliance represents the interests of over 14,000 member settings who deliver care and learning to over 800,000 families every year. We offer information and advice, produce specialist publications, run acclaimed training and accreditation schemes and campaign to influence early years policy and practice.

T. 020 7697 2595 E. info@pre-school.org.uk W. www.pre-school.org.uk

This policy was adapted by - The Director, Managers and Team of Victoria Place

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Name of signatory –Otylia Pawlak