



Name:	Date written:
GDPR Policy	2021
Written by:	Date of Review:
Emma Holmes/ Louise Lloyd-Evans	14/9/23

Policy Statement

Young Friends Kindergarten has created this policy to adhere to the data law that came into place on 25th May 2018. It details what the new law entails, what it means to us with regards to what data we store, how we store it and, where appropriate, erase it.

Aims and Purpose

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 individual's data is not processed without their knowledge and are only processed with their 'explicit' consent. GDPR covers personal data relating to individuals. Young Friends Nursery Ltd 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. Young Friends Kindergarten is registered with the ICO (Information Commissioners Office) under registration reference: Z3448614. Our current certificate is on display in the office at the nursery.

Applicability

Staff
Families

Definition of Terms

GDPR: General Data Protection Regulation
CRM: Customer Relationship Management

Overview

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Privacy Notice

Young Friends Kindergarten is committed to protecting the privacy of its users and to uphold the requirements of GDPR and the Data Protection Act 2018, under which we act as data controllers. This Privacy Policy (Notice) is designed to help stakeholders understand what information we gather, how we use it and what we do to protect it.

We may collect both “Non-Personal Data” and “Personal Data” about our families and staff. “Non-Personal Data” includes information that cannot personally identify someone (e.g parents reviews). “Personal Data” includes information that can be used to personally identify someone, such as their name, address and email. We do collect personal information via our website. Personal Information may be submitted to us using the enquiry form which is completed and then submitted to us. We only process any 'special category' data such as health and dietary requirements with your explicit consent and only once a child has been enrolled.

From time to time we may use personal information to send information about our services. We will never pass personal data on to any third party.

Procedure

- We take precautions to protect personal data and ensure that this is not accessed, disclosed, altered, or destroyed inappropriately. We have password protected devices and accounts to ensure data remains secure. Any paper records are stored securely. We do not retain any personal data for any longer than is necessary for its purpose or required by law.
- Data collected from enquiries, either via our website, from social media or other communication will be kept for admissions and marketing purposes, parents have a right to unsubscribe.
- Once parents are part of Young Friends, we send service-related announcements via Family. We use email prior to admission and once a child / family has left as part of our end of contract / agreement procedures. Once accounts have been closed, emails are deleted from our systems.
- We may disclose your personal information if required to do so by law or if anyone should violate our Terms of Use.

7 Rights for Individuals

GDPR includes 7 rights for individuals:

The right to be informed:

Young Friends Kindergarten 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 Brighton and Hove City

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 nursery. We need to know visits names, telephone numbers, addresses and where appropriate company name. This is in respect of our Health and Safety and Safeguarding Policies.

As an employer Young Friends Kindergarten 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 Atlantic Data for the processing of DBS checks.

Young Friends Kindergarten uses Cookies on its website to collect data for Google Analytics, this data is anonymous.

The right of access:

Young Friends Kindergarten Ltd is a company registered in England & Wales.

Registration No: 06140887.

Registered Address:

Young Friends Kindergarten Ltd,
89 Holland Road,
Hove,
East Sussex,
BN3 1JP

At any point an individual can make a request relating to their data and Young Friends Kindergarten Limited will need to provide a response within 1 month. Young Friends Kindergarten Limited 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, Young Friends Kindergarten Limited has a legal duty to keep children's and parents details for a reasonable time*, Young Friends Kindergarten Limited should retain these records for 3 years after leaving our nursery, 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 archived securely on the management OneDrive file which is password protected.

The right to restrict:

Parents, visitors and staff can object to Young Friends Kindergarten Limited 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:

Young Friends Kindergarten Limited requires data to be transferred from one IT system to another; such as from Young Friends Kindergarten Limited to the Local Authority, to shared settings, to Family our online management system. 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. Young Friends Kindergarten Limited does not use personal data for such purposes.

Storage and Use of Personal Information

All paper copies of children's and staff records are scanned and uploaded to the management, password protected OneDrive. The paper copies are then returned to the owner. Pod Leads can have access to these files, with management permission, but know that information taken from the files about individual children is confidential. These records are deleted after the required retention period. Information about individual children is used in certain documents, such as, a weekly register, medication forms, reports, referrals to external agencies and disclosure forms. These documents include data such as children's names, date of birth and other relevant details such as allergy information. These records are deleted after the relevant retention period. Young Friends Kindergarten Limited collects a large amount of personal data every year including; names, emails and addresses of those on the waiting list. These records are deleted if the child does not attend or added to the child's online file and stored appropriately when they join. 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 the office. These records are deleted after the relevant retention period. Upon a child leaving Young Friends Kindergarten Limited and moving on to school or moving settings, data held on the child may be shared with the receiving school. Such information will be hand delivered, given to the parent to share with the receiving school, or sent via a secure file transfer system.

Photographs, Sound Recordings and Video Clips

Young Friends Kindergarten Limited does not store personal data held visually in photographs or video clips or as sound recordings, unless individual written consent has been obtained or children's faces are indistinguishable. No names are stored with images in photo albums, on digital displays or on our website. No faces are shown on our social media sites. Photos from May 25th, 2018 taken for all aspects of nursery life do not show children's faces or details. All photos prior to this have been deleted and are not stored anywhere. Access to all office computers and Family Online Learning Journal are password protected. When a member of staff leaves the nursery, these

passwords are changed in line with this policy and our Safeguarding policy. Any portable data storage used to store personal data, e.g. USB memory stick, are password protected and/or stored in our locked I.T cupboard when the nursery is closed. Photographs and videos are used to evidence learning and development, to share with parents and create memories.

Emails and Telephone Calls

Parents email addresses and phone numbers are stored on Famly and deleted once the child has left. Our main point of contact with parents is on Famly. However, we may need to send individual emails or phone them. All calls are recorded for safeguarding purposes. When leaving the nursery email addresses will be deleted from our files and the child's file stored for the legal retention period only.

Staff Information

With regards to our team, we hold the following information:

Contact Details – name, address, email, land line telephone and mobile number

Next of Kin details/emergency contacts

Medications taken at work

Ongoing health information

References

Bank information

NI number

Employment records

Qualification details

We hold the above personal information for the following forms:

Application forms

Holiday forms

Return to Work forms

Staff Development documents

Accounts

Payroll Information

Accident forms

Medications forms

Professional Discussion forms

DBS

Staff Deployment lists

Health Records

These are all kept in a password protected file on OneDrive, accessible by authorised personnel only. Our staff have all signed their permission to securely keep this information.

Data Protection Officer

Young Friends has an appointed a Data Protection Officer (DPO) – Emma Holmes. This person has up to date knowledge of GDPR guidelines as well as knowledge about the internal processes that involve personal information. It is Emma's role to create awareness among decision makers about GDPR guidelines. So, she makes sure key

people and decision makers have up-to-date knowledge about the data protection legislation and that our technical security is up to date. It is Emma's role to train staff to be aware of data protection. Young Friends is aware that a lot of security vulnerabilities involve cooperation of an unwitting person with access to internal systems so we make sure our employees are aware of these risks.

Emma completed the Implementing the GDPR course on 18/5/22.

Reporting Breaches of Data

We will report data breaches involving personal data to the local authority and to the people (data subjects) involved. Personal data breaches should be reported within 72 hours to the local authority. You should report what data has been lost, what the consequences are and what countermeasures you have taken. Unless the data leaked was encrypted, we will also report the breach to the person (data subject) whose data we lost.

There is a contract in place with any data processors that we share data with. The contract should contain explicit instructions for the storage or processing of data by the processor. For example, this could include a contract with your hosting provider.

Further Information

Our Data Protection Policy and other related policies are on our website and our Data Protection Officer can be contacted on 01273 735100 and management@youngfriends.co.uk

External Links and Organisations

Information Commissioners Office: [Home](#) | [ICO](#)

Relevant Policies and Documents

Acceptable Use of Technology Policy
Communications Policy
Images Policy

Authorisation

Signature:



Louise Lloyd-Evans
Owner and Director

Young Friends Nature Nursery
89 Holland Road
Hove
East Sussex
BN3 1JP

Retention periods for records



Children's records	Retention period	Status	Authority
Children's records - including registers, medication record books and accident record books pertaining to the children	A reasonable period of time after children have left the provision (e.g. until after the next Ofsted inspection)	Requirement	Statutory Framework for the Early Years Foundation Stage (given legal force by Childcare Act 2006)
	Until the child reaches the age of 21 - or until the child reaches the age of 24 for child protection records	Recommendation	Limitation Act 1980 Normal limitation rules (which mean that an individual can claim for negligently caused personal injury up to 3 years after, or deliberately caused personal injury up to 6 years after the event) are postponed until a child reaches 18 years of age
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	Recommendation	Chartered Institute of Personnel and Development

DBS check	6 months	Recommendation	DBS Code of Practice The following basic information should be retained after the certificate is destroyed: the date of issue; the name of the subject; the type of disclosure; the position for which the disclosure was requested; the unique reference number; and the details of the recruitment decision taken
<i>Pay</i>			
Wage/salary records (including overtime, bonuses and expenses)	6 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
Statutory Sick Pay (SSP) records	3 years after the end of the tax year to which they relate	Requirement	The Statutory Sick Pay (General) Regulations 1982
Income tax and National Insurance returns/records	At least 3 years after the end of the tax year to which they relate	Requirement	The Income Tax (Employments) Regulations 1993 (as amended)
Redundancy details, calculations of payments, refunds, notification to the Secretary of State	6 years after employment ends	Recommendation	Chartered Institute of Personnel and Development

<i>Health and safety</i>			
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	Requirement	Companies Act 2006

	limited companies		
	6 years for charities	Requirement	Charities Act 2011
Administration records	Retention period	Status	Authority
Employers' liability insurance records	For as long as possible	Recommendation	Health and Safety Executive
Minutes/minute books	10 years from the date of the meeting for companies	Requirement	Companies Act 2006
	6 years from the date of the meeting for Charitable Incorporated Organisations	Requirement	The Charitable Incorporated Organisations (General) Regulations 2012
	Permanently	Recommendation	Chartered Institute of Personnel and Development

This is a list of the actual types of information being held (e.g. Name, social security nr, address,). For each type, a source is documented, the parties this information is shared with, the purpose of the information and the duration for which we will keep this information.

Young Friends keeps personal information on a password protected file on the management's OneDrive.