**Data Protection Policy**

**and Privacy Notice**

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| Policy number | 19 |
| Written by | Paula Jean Stevens |
| Effective date | 25th May 2018 |
| Review date | May 2019 |
| Data protection leads | Paula Jean Stevens – Manager  Stephen Packham – Chair of Committee |

**In accordance with the updated General Data Protection Regulation (GDPR) we have created this policy with the aim to make clear how we process personal data at Southern Cross Pre-school.**

**Information we need to collect**

Southern Cross Pre-school needs to collect and use certain types of information (data) about people whom it deals with in order to operate. These include current, past and prospective employees, children and parents/carers. Southern Cross Pre-school will be clear and open with individuals about how and why we collect and use their personal data. All data will be used for a fair and lawful purpose. We will do our best to make sure all information stored by us is correct and up to date. The pre-school will take reasonable steps to ensure the accuracy of any personal data and amend any inaccuracies as soon as possible.

The meaning of ‘personal data’ is any information relating to an identifiable person who can directly or indirectly be identified by this information.

**Why do we need an individual’s personal data and who might we share it with?**

The lawful bases for us to process personal data that is it necessary in order for us to carry out our services. We need to know information on children as it is necessary for us to support their individual needs and keep them safe. The type of personal data held on parents/carers is necessary for us to contact them and to allow us to support both the child and their family, and to claim funding for their child while attending our setting. Personal data held on staff is to ensure their safety and wellbeing and to check their suitability to work and safeguard children. More details on what we use personal data for is stated at the end of this policy on page 3.

We may need to share an individual’s personal data with other organisations. This may be to allow funding to be claimed, to gain extra support for a child with some additional needs or to support a family where English is not their first language. More information on the types of organisations we might share data with is stated at the end of this policy on page 4.

**Consent**

We ensure all individuals who share their personal data with the pre-school understand and are aware of this policy. When families register their child with us they will be informed and given a copy of this policy and sign the consent part of the registration form in regards to data processing. Ongoing consent will be gained as part of our termly update forms where individuals will need to confirm if their information is still correct and again confirm if they consent to the use of this data. When we feel it would benefit an individual to share their personal information with another organisation such as when a child has a speech and language delay and they need to be assessed by a Speech and Language Therapist; we will gain specific consent from the child’s parents/carers at the time to ensure we are lawful, fair and transparent, also to check the information we might be sharing is correct and up to date.

**Rights to restrict or object information sharing**

Individuals have the right to restrict or object to the pre-school sharing their personal data. This is not an absolute right and only will apply in certain circumstances. The pre-school will do its best to make clear to individuals what we will use their personal data for and who we might share it with. If we feel we need to share an individual’s personal information we will provide them with all the details of who we wish to share the data with and the reasons. The individual then has the right to decide if they wish to give consent for us to process their personal information.

Individuals have a right to withdraw consent at any time.

When individuals request that their data is restricted we are still permitted to store their personal information but not to use it. The pre-school has up to one calendar month to respond to a request in this instance.

We may receive a request to restrict or object to sharing information. Where we are considering whether we have legitimate grounds to override those of the individual, such as if it is for the protection of the rights of another person. If we do decide to refuse to comply with a request for restriction we will inform the individual within one month of the request and the reasons why we feel this necessary. Individuals will then have the right to make a complaint to the Information Commissioners Office (ICO) or another supervisory authority where they can seek to enforce their right through a judicial remedy.

**Retention and disposal of data**

Southern Cross Pre-school will securely dispose of any personal data no longer required or if an individual has asked us to erase it. If information is in written form a cross shredding paper shredder will be used or if information is held on a computer it will be destroyed using a programme called ‘File shredder’ which completely erases the file.

Some data must be retained by the pre-school for a significant time after the individuals have left as a requirement of law. All records retained will be kept securely until such a time has elapsed. They will then be destroyed. For more information on data retained and the length of time they are kept for please ask senior staff for a copy of the Pre-school Learning Alliance information sheet on Retention periods for records.

**Security**

To ensure all personal data is secure we have the following in place:

* Written data is stored securely in a locked office when staff are not present
* All computer’s and tablets are password or pin code protected
* Cloud storage is password protected
* Staff are fully aware of their role in data protection and ensuring no unauthorised access is made to the pre-school
* Staff understand the importance in making their passwords private and secure for the Tapestry online journals
* Pre-school premises are locked and alarmed over night
* Only children’s first names and photos are on display in the pre-school halls no other personal information will be visible to unauthorised persons
* Only authorised senior staff have access to sensitive personal data

**Pre-school Website**

All websites built by Wix (the web builder we use for our website) use cookies. Cookies are small pieces of data stored on a site visitor’s browser, usually to keep track of their movements and actions on a site. These technologies are used in order to maintain, provide and improve services. More details of the type of cookies used and their purpose can be found at the end of this policy on page 6. Copies of Wix’s term’s and condition’s and their privacy policy are available on request.

**Tapestry learning journals**

The company we use for creating and storing the children’s learning journals only does what we inform them to do with the data we upload. We keep data to a minimum and only add what is essential to set up a child’s journal such as name and date of birth. Parents and relative’s names and email addresses are only uploaded if they wish to create an account to access their child’s journal. Tapestry does not use this data for advertising and will not pass on any data unless instructed to do so. The only instruction to share data with a third party would be if a child leaves our setting and their new setting also uses Tapestry then their journal can be transferred over to the new setting. We would always require consent from the child’s parents/carers before we transfer any data. Individuals have a right to restrict processing of their data. In that case we would make the account inactive and or discontinue using the online journal. Copies of the Tapestry term’s and condition’s and their privacy policy are available on request.

**Accessing your data**

Individuals can request copies of the information held about them, this is called ‘subject access requests’. Under the new GDPR, regulations the pre-school must respond within one month from the date of request and we will provide this information for free.

**Legal Framework**

We will comply with the following regulations:

* Information Commissioners Office (ICO)
* Data Protection Act 1998
* Statutory Framework for the Early Years Foundation Stage 2014

**References**

Information Commissioners Office (ICO)

Pre-school Learning Alliance

**What personal data is used for:**

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| **Type of data** | **Why we need this information** |
| Prospective customers name, email address, phone numbers and address | Used to send the information requested about out Pre-school and a follow up call or message to see if individuals need any additional information. If no correspondence from prospective customers after one month of initial request for information data will be destroyed |
| Child’s date of birth, any additional needs that need supporting, languages spoken, Health visitors name | To identity the individual child, and to enable us to support and meet the child’s individual needs and record their learning and development |
| Children’s name, date of birth, parents/carers and relative’s names, email addresses, written observations, photos and videos of children | Added to the Tapestry programme for a child’s online journal. Data added to set up accounts and monitor a child’s progress and plan their next learning goals |
| Child’s personal care information, medical conditions and dietary requirements | To cater for each child’s individual needs and to keep them safe and well |
| Child’s emergency contacts | To contact in an emergency and where no parent/carer can be contacted at that time |
| Parents name, address, telephone numbers, email address, National Insurance numbers and parental responsibility | To enable us to contact and communicate with the child’s parent/carer, so we can claim funding for their child and to set up and allow access to their child’s online learning journal |
| Children’s photos but no names or details | If consent given photo’s of children taking part in activities are added to the website, facebook page, twitter or in adverts placed in local press for marketing and advertising purposes |
| Staff names, address, telephone numbers, email addresses, National Insurance numbers, copy of photo I.D, qualifications, Tax code information and bank details | To identify each staff member to carry out DBS checks, to check identities and their right to work in the uk, for payroll purposes and pension schemes |
| Staff DBS numbers and completed suitability forms | To check the individuals are suitable to work with children and to ensure the safety of all the children |
| Parents other children’s names and ages | To understand the family dynamics and how this effects the child that attends our setting |
| Staff medical conditions, dietary requirements and emergency contacts | To ensure the individuals safety and wellbeing and to contact family/friends in case of an emergency |
| Committee members names, phone numbers and DBS numbers | To identity individuals, to contact and communicate with them, to ensure the safety of all the children |
| Church caretakers name, phone number and DBS number | To identity individuals, to contact and communicate with them, to ensure the safety of all the children |
| Volunteers name, phone number, email, medical conditions and dietary requirements and emergency contacts | To identify each volunteer, to communicate and contact them and to ensure their safety and wellbeing |

**What other organisations we may share personal data with:**

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| EMAS- Ethnic Minority Achievement Service | An organisation that supports children and their families who have English as an additional language |
| BHISS – Brighton and Hove Inclusion Support Service | An organisation that helps support children with SEND and their families |
| Speech and Language Therapy Service | A service that supports children with delayed speech and language skills |
| Health Visitor | Persons who support families and their children from birth to 5 years |
| Front Door for Families | A service that provides support, guidance and access to specialist targeted services for parents, carers, members of the public, young people and professionals |
| Local Authority for Brighton and Hove | Applications for childcare funding such as:  2 year old funding  3-4 year old funding  30 hour funding  Tax free childcare |
| Local Authority Designated Officer (LADO)  Brighton and Hove Local Safeguarding Children’s Board  and the Police | The Local Authority Designated Officer (LADO), has overall responsibility for the management of allegations of Abuse against Adults who work with Children.  The Brighton & Hove LSCB brings together local agencies that have a shared responsibility for promoting well-being and keeping children in Brighton & Hove safe  Police who may be investigating a crime |
| Tapestry - Online Journals | An online development record of a child’s progress while at pre-school, containing written observations, photographs and videos of a child’s progress. All journals are password protected and access is only given to those who have the right to this data. |

**Cookies used on the Pre-school Website**

| Cookie name | Life span | Purpose |
| --- | --- | --- |
| svSession | Permanent | Creates activities and BI |
| hs | Session | Security |
| incap\_ses\_${Proxy-ID}\_${Site-ID} | Session | Security |
| incap\_visid\_${Proxy-ID}\_${Site-ID} | Session | Security |
| nlbi\_{ID} | Persistent cookie | Security |
| XSRF-TOKEN | Persistent cookie | Security |
| smSession | Two weeks | Identify logged in site members |