

Data Processing

General Data Protection Regulation (GDPR)



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. Burton Preschool Playgroup 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.

GDPR includes 7 rights for individuals

1) The right to be informed

Burton Preschool Playgroup 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 For Dorset County Council, this information is sent to the Local Authority via a secure electronic file transfer system.

As an employer Burton Preschool Playgroup is required to hold data on its employees such as 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 Burton Preschool will need to provide a response. Burton Preschool Playgroup 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 Burton Preschool Playgroup has a legal duty to keep children's and parents details for a reasonable time, Burton Preschool Playgroup retain these records for 3 years after leaving pre-school, children's

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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 offsite and shredded after the legal retention period.

4) The right to restrict processing

Parents, visitors and staff can object to Burton Preschool Playgroup 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

Burton Preschool Playgroup requires data to be transferred from one IT system to another; such as from Burton Preschool Playgroup 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.

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. Burton Preschool Playgroup 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 Burton Preschool Playgroup. 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. Burton Preschool Playgroup 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 Burton Preschool Playgroup and moving on to school or moving settings, data held on the child may be shared with the receiving school.

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Burton Pre-School
Playgroup

GDPR means that Burton Preschool Playgroup 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