



LITTLE INSPIRATIONS

DAY NURSERY

Data Protection Policy

CSSIW Theme:

Care and development, Leadership and management

Wales National Minimum Standard-

Standard 5, Standard 20

RCT Flying Start monitoring tool - HC.19

The aim of the policy

This policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with **The Data Protection Act 1998**, and other related legislation. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically.

All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by adhering to these guidelines.

Introduction

Little Inspirations day nursery ltd collects and uses personal information about staff, children, parents and other individuals who come into contact with the company. This information is gathered in order to enable us to provide care, education and other associated functions. In addition, there is a legal requirement for us to collect and use information to ensure that the setting complies with CSSIW and other statutory obligations.

Little Inspirations day nursery is registered as a data controller with the Office of the Information Commissioner.

The company Data Protection Officer is Jenine Gill who is also the company director.

The company processes data relating to its staff, children, families and services users for the following purposes:

- Maintenance of staff records
- Maintenance of children's records
- Family records
- Services users information

What is Personal Information?

Personal information or data is defined as data which relates to a living individual who can be identified from that data, or other information held.

Data Protection Principles

The Data Protection Act 1998 establishes eight enforceable principles that must be adhered to at all times:

1. Personal data shall be processed fairly and lawfully;

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2. Personal data shall be obtained only for one or more specified and lawful purposes;
3. Personal data shall be adequate, relevant and not excessive;
4. Personal data shall be accurate and where necessary, kept up to date;
5. Personal data processed for any purpose shall not be kept for longer than is necessary for that purpose or those purposes;
6. Personal data shall be processed in accordance with the rights of data Subjects under the Data Protection Act 1998;
7. Personal data shall be kept secure i.e. protected by an appropriate degree of security;
8. Personal data shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection.

General Statement

Little Inspirations is committed to maintaining the above principles at all times. Therefore the company will:

- Inform individuals why the information is being collected when it is collected
- Inform individuals when their information is shared, and why and with whom it was shared
- Check the quality and the accuracy of the information it holds
- Ensure that information is not retained for longer than is necessary
- Ensure that when obsolete information is destroyed that it is done so appropriately and securely
- Ensure that clear and robust safeguards are in place to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded
- Share information with others only when it is legally appropriate to do so
- Set out procedures to ensure compliance with the duty to respond to requests for access to personal information, known as Subject Access Requests
- Ensure our staff are aware of and understand our policies and procedures

Processing, storing, archiving and deleting personal data, guidance

- Personal data and records about services user are confidential to the user. The information can be shared appropriately within the professional working of the setting to enable the setting to make the best care and educational provision for the child. The law permits such information to be shared with other settings when move on.
- Children's records for a child should be kept for 3years after the child leaves the setting, or lifelong in the event of child protection issues and forty years in the event of insurance issues.
- Data on staff is sensitive information and confidential to the individual, and is shared, where appropriate, at the discretion of the company director/site manager and with the knowledge, and if possible the agreement of the staff member concerned.
- Employment records form part of a staff member's permanent record. Because there are specific legislative issues connected with these (salary and pension details etc.) these records should be retained.
- Interview records, CV's and application forms for unsuccessful applicants are kept for 6 months.
- All formal complaints made to the company director will be kept for at least seven years in confidential files, with any documents on the outcome of such complaints. Individuals concerned in such complaints may have access to such files subject to data protection and to legal professional privilege in the event of a court case.

The Rights of Individuals

Data Subjects have a number of rights relating to the information held on them as well as what happens to that data:

Right to subject access

The Data Protection Act gives Data Subjects the right to request for, in writing, a copy of information held relating to the individual in electronic format and also in some manual filing systems.

In addition individuals are also entitled to be given a description of the information, what you use it for, who you might pass it on to, and any information you have about the source of the information.

Data owners within the company need to ensure that there are procedures in place for data subjects to correct inaccurate or out of date data, and procedures for staff and students to update basic terms of data.

Complaints

Complaints will be dealt with in accordance with our complaints policy. Complaints relating to information handling may be referred to the Information Commissioner (the statutory regulator).