Access To Personal Data Policy

In accordance with the General Data Protection Regulation (GDPR) 2018, any parent/legal guardian, employee or website user has the right to request access to their own personal data held by 3 Corners.

In the event of such a request we will follow the procedure outlined in this document.

N.B. the parent/legal guardian is the ‘subject’ of the personal data in the case where a child is too young to give ‘informed consent’ and has a right to see information that our setting has compiled on them.

- Requests for information must be made in writing; which includes email, and should be addressed to the Business Manager/Childcare Manager. If the initial request does not clearly identify the information required, then further enquiries will be made.
- The identity of the requestor must be established before the disclosure of any information, and checks should also be carried out regarding proof of relationship to a child. Evidence of identity can be established by requesting production of:

· passport

· driving licence

· utility bills with the current address (where received by post)

· Birth / Marriage certificate

· P45/P60

· Credit Card or Mortgage statement (where received by post)

This list is not exhaustive. ID evidence will be checked and returned immediately.

- 3 Corners will acknowledge the request in writing, informing the individual that an arrangement will be made for him/her to view the data requested, subject to third party consent and where necessary, once clarification of information sought has been received.
- Our written acknowledgement allows one month for the file to be made ready and available. We will be able to extend this by a further two months where requests are complex or numerous. If this is the case, we will inform you within one month of the receipt of the request and explain why the extension is necessary.
- A fee may be charged for repeated requests, or where a request requires excessive administration to fulfil.

- The GDPR 2018 allows exemptions as to the provision of some information e.g. ‘the protection of the individual, or the rights and freedoms of others’, therefore all information will be reviewed prior to disclosure.
- Legal advice may be sought before sharing personal data.
- The Childcare/Business Manager will go through the data and where appropriate, ensure that all documents have been filed correctly, that entries are in date order and that there are no missing pages. If information contained within the disclosure is difficult to read or illegible, then it should be retyped. We will make a note of any information, entry or correspondence or other document which mentions a third party.
- We write to each of those individuals explaining that the subject has requested sight of the file, which contains a reference to them, stating what this is.
- They are asked to reply to us in writing giving or refusing consent for disclosure of that material.
- We keep copies of these letters and their replies on the file of the subject requesting access to data.
- ‘Third parties’ may include family members noted on the file; so where there are separate entries pertaining to each relative, we write to each of them to request third party consent.
- Third parties also include workers from any other agency, including children's social care and the health authority, for example. Agencies will normally refuse consent to share information, preferring instead for the individual to be redirected to those agencies for a request to see their file held by that agency.
- Members of our staff should also be written to, but we reserve the right under the legislation to override a refusal for consent or to just delete the name of the staff member and not the information. We may grant refusal if the member of staff has provided information that could be considered ‘sensitive’ and the staff member may be in danger if that information is disclosed; or if that information is the basis of a police investigation. However, if the information is not sensitive, then it is not in our interest to withhold that information from an individual. In each case this should be discussed with members of staff and decisions recorded.
- When we have received all the consents/refusals we will take a photocopy of the complete file. On the copy of the file, we will remove any information that a third party has refused consent for us to disclose and blank out any references to the third party, and any information they have added to the file, using a thick marker pen.
- Where redaction has taken place then a full copy of the information provided should be retained in order to establish, if a complaint is made, what was redacted and why.
- The copy file is then checked by us and legal advisors to verify that the file has been prepared appropriately.

- What remains is the information recorded by the setting. This is called the ‘clean copy’.
- We photocopy the ‘clean copy’ again and collate it for the individual to see.
- We inform the individual that the file is now ready and invite him/ her to make an appointment to view it.
- The Business Manager/Childcare Manager meet with the individual to go through the file, explaining the process, as well as the content of the file records. With regard to a subject access request pertaining to a child, only the person(s) with parental responsibility can attend that meeting, or the parent’s legal representative or interpreter.
- The individual may take a copy of the prepared file; but, to ensure it is properly explained to and understood by them it is never handed over without discussion.
- It is an offence to remove material that is controversial or to rewrite records to make them more acceptable. Our recording procedures and guidelines ensure that the material reflects an accurate and non-judgemental account of the matter recorded.
- If the individual feels aggrieved about any entry in the file, or the resulting outcome, then we refer them to our complaints’ procedure.
- The law requires that the information we hold must be held for a legitimate reason and must be accurate (see our Privacy Notice). If an individual says that the information we hold is inaccurate, then the individual has a right to request for it to be changed. However, this only pertains to factual inaccuracies. Where the disputed entry is a matter of opinion, professional judgement, or represents a different view of the matter than that held by the individual, we retain the right not to change that entry, but we can record their view of the matter. In most cases, we would have given an individual the opportunity, at the time, to state their side of the matter, and it would have been recorded there and then and signed by them.
- If there are any controversial aspects of the content of a file, we must seek legal advice. This might be where there is a court case between parents, where social care or the police may be considering legal action, or where a case has already been completed and an appeal process is underway.
- We never ‘under-record’ for fear of the individual seeing, nor do we make ‘personal notes’ elsewhere.

All the undertakings above are subject to the paramount commitment of our setting, which is to the safety and well-being of the child. Please see also our Safeguarding Children Policy.

Complaints

Complaints about the above procedures should be made to the Childcare or Business Manager who will decide whether it is appropriate for the complaint to be dealt with in accordance with 3 Corners complaints' procedure.

Complaints which are not appropriate to be dealt with through 3 Corners complaints procedure can be dealt with by the Information Commissioner's Office. Contact details below.

Contacts

Further advice and information is available from the Information Commissioner's Office helpline 0303 123 1113 or go to www.ico.gov.uk

Legal framework

- General Data Protection Regulations (GDPR) (2018)
- Human Rights Act (1998)

This policy was reviewed by the staff of 3 Corners in September 2025 and agreed and adopted, on behalf of the Management Committee by Sharon McElhone (Business Manager).

Signature: