

Data Protection Policy

Part 1 - Management of Information

Aims of Policy

In line with current legislation, it is our intention to protect the personal data that we process and thereby respect the privacy of children, parents/legal guardians and staff at 3 Corners. It is our intention to do so both openly and transparently, whilst ensuring the rights of the individual enshrined in the General Data Protection Regulation (GDPR) 2018. We therefore aim to ensure that all parties can share their information with us in the confidence that it will be used only to enable and enhance their involvement with the setting.

Overall responsibility for data protection resides with the settings management, including the chair of the management committee, however, confidentiality and the security of information is a key part of the induction and training of all staff, including students, volunteers and committee members.

In keeping with the GDPR, we are registered with the Information Commissioner's Office and have two appointed Data Protection Officers (the Childcare Manager and Business Manager) who take a lead role in the co-ordination, updating and dissemination of the relevant information within the setting.

We maintain a centralised Information Register where all the types of **personally identifiable information** that we hold is recorded. It includes, amongst others, details related to processing, storage, security, access to, retention and disposal of data. The register is updated annually or as required, whichever is soonest, as is this policy. This enables us to identify areas of risk and any need for corrective action.

What personally identifiable information do we process and store?

- Children's details such as name, address, date of birth, class and school; and medical information
- Parents/legal guardian's information including name, address, email, phone numbers
- Emergency contact details for relatives or friends including name and phone number
- Staff/volunteers (including Management Committee) information such as name, DOB, address, telephone numbers, national insurance number, income and pension details, personnel records, medical information and qualifications
- Photographs for use on website, advertising and social media
- Bank Details - where parent/carer refunds are made, or staff/suppliers are paid
- Information relating to ongoing development (children) or performance (staff)
- Other personal information – see 'How do we process this information?' for further details
- N.B. Identity verification such as birth certificates, driver's license, passport, household bills should normally be checked and returned on the spot. Where this is not possible the documents will be stored in the on-site office, in a lockable cabinet and returned no later than the end of the working day
- Payroll and financial records including payslips, invoices and monthly/annual accounts.

How do we process this information?

We gather the above information in a number of different formats including registration forms, holiday club booking forms, accident forms and Early Education Funding forms. For a comprehensive list of formats please see Appendix A.

We ensure that personal data is up to date by sending parents a 'Booking and Personal Data Renewal' form during the summer term each year, although we would also expect parents to update us with any changes to information in the interim.

Why do we process this information?

We collect only the data that we need in order to carry out our role as a childcare provider and as an employer. We use the information only for the purpose for which it was collected.

We use personal data to provide tailored care for each child that attends our setting and in order to access funding and additional services, where appropriate. We also do so in order to communicate with parents and to manage parent accounts. In addition, we process personal data to recruit, retain, develop and pay our employees.

We therefore process personally identifiable information in order to fulfil contractual, legal or statutory obligations. Without the provision of such information it would be difficult, if not impossible, to continue to provide a place for a child or to employ a member of staff.

Where we use photographs in the setting, on our website, Facebook page or for advertising, parents will have given their explicit permission to do so on our Registration Form and may withdraw consent to do so at any time.

How is this information stored and who has access?

Paper: Copies of paper forms containing personal information are stored in an office which is accessible only to staff members during our hours of opening, with no access for parents. The office is locked every night on closing.

Computer: Parents/legal guardians will be asked for their permission to store all personal details provided by them, on computer when registering their children. Access to information stored on computer is limited to the Business and Childcare Managers. All computers, laptops and USB devices used for storing personal data are password protected.

Parental access to their electronic data, should only take place when accompanied by a member of staff. Only the requisite information will be displayed, and the staff member will remain in the room with the parent to ensure data protection for all other families.

All parents should note that in the event of a child protection concern information about children and their families may be shared with the relevant agencies without the consent of parents. (For further information, please see our 'Safeguarding Children Policy').

Data relating to the employment of staff, whether paid or unpaid, remains confidential to those individuals directly involved with processing payroll and making personnel decisions, primarily the Childcare and Business Managers.

Software: The setting's Business Manager uses payroll and accounting software for the processing of salaries and invoices. The software used is protected by password and provided by companies that have verified themselves as GDPR compliant. The Childcare Manager may

contribute to Triangle School's CPOM's (Child Protection and Safeguarding) software, where appropriate. It is password protected and GDPR compliant.

Cloud Storage: The setting uses both OneDrive (Microsoft) and Google Docs (Google) for the storage/back up of files. The files are password protected. Both Microsoft and Google have been verified as GDPR compliant.

Mobile phone: Parent's names (including reference to child) and mobile phone numbers are stored in a password protected mobile phone that is kept at our off-site office. It is never removed from the premises and is accessed only by the Business Manager.

Website: When a website visitor contacts us via email their email address is stored within the website itself and within our own email server, both of which are password protected. No other personal information is stored by us.

Who do we share information with?

Data is shared internally, on a 'need to know basis' and with third parties, only where we are contractually, legally or statutorily obliged to do so or where parents have given explicit consent.

Most of the organisations named herein, are government bodies all of whom are obliged by law, to be GDPR compliant. Any non-government body has been verified as GDPR compliant. They are as follows:

- Agencies within the Local Authority e.g. Children's Services in order to access universal and extended hours funding on behalf of parents/legal guardians. This may also include speech and language therapy, health visitors, educational psychologists, (this list is not exhaustive).
- NHS medical professionals in an emergency situation.
- Ofsted when undergoing an inspection, when carrying out safeguarding checks on staff and management committee members or when reporting on complaints, safeguarding or health and safety issues.
- Organisations providing DBS checks for staff members.
- School and other early years provisions to enable a smooth transition when moving between settings. N.B. parents are required to sign the 'Transfer Record' giving their permission for this information to be shared. Also, to work collaboratively with Triangle School in best supporting children that use our Out of School Club (OSC) which includes the use of the school's CPOMs system, accessible only to the Childcare Manager.
- HMRC when meeting requests for invoice evidence for Tax Credits purposes. Also, for the submission of payroll data.
- NEST for the set-up and submission of staff pension related data.
- Accountant carrying out our annual external audit.
- Charity Commission on submission of our annual return.
- Police/Social Services, as a last resort, in the event of non-collection or non-attendance of a child.

Retention of Personal Data

For statutory or legal reasons, we are obliged to retain other records such as children's records, employee records, insurance documents, payroll and financial records (including invoices) for set periods of time. This can be for anything from 6 months to forever. As members of the Early Years Alliance, we follow their recommendations. For a full listing of these documents and their retention periods please see Appendix B.

Where possible we scan retained documents and save them in a secure folder on a password and encryption protected computer, backed up to a similarly secure cloud storage provider. Where paper documents are retained, they are held securely in a locked box.

Disposal of Personal Data

When a child leaves our pre-school their 'Learning Journey' is given to the parent/legal guardian as a record of their time at 3 Corners. A 'Transfer Record' is also shared with the setting to which the child is moving, to enable a smooth transition by ensuring continuity of care and education. It includes the following personal data – name; DOB; any SEN information; medical information and a developmental report.

To ensure that retained documents are not held for any longer than required they are held in folders, whether actual or virtual, marked with the year in which they are to be disposed of. Each year further retained documents are scanned and retained or stored securely, at which time the folders marked for disposal in the current year are securely deleted. Secure data deletion guarantees erasure of files beyond the physical and logical limitations of normal deletion operations. At this time, paper documents due for disposal are shredded or burned.

Data Breaches

Although, as a setting, we do everything in our power to ensure the protection of personal data, in the event that a data breach occurs unwittingly, such a breach would be dealt with in the following manner:

1. Identify the nature of the data breach, how it came about, and any staff member involved.
2. Identify any action necessary to rectify the data breach, where possible.
3. Inform the appropriate line manager of the data breach e.g., Childcare Manager, Business Manager or Chair of the Management Committee.
4. Contact any involved parties and notify them of the data breach and any actions taken to rectify the situation.
5. Offer the parties involved the opportunity to speak with a member of the management team (including the Chair of the Management Committee), where appropriate.
6. Identify any actions necessary to ensure that such an incident does not re-occur.
7. Record the details of the above on a data breach recording form and keep on record.

Part 2 - Rights of the Individual

Under the GDPR 2018 every individual has certain rights in relation to their personal data:

- The right to be informed – about what personal data we are collecting, what we use it for & who it is shared with. We do this by issuing a Privacy Notice to all parents, employees, management committee members and users of our website - please see Appendices C,D,E & F)
- The right of access – Parents, staff and website users each have the right to request access to their own data at any time. Please refer to our 'Subject Access Request Procedure'.
- The right to rectification – Personal data must be rectified if it is incorrect or incomplete.
- The right to erasure – Also known as the right to be forgotten. Individuals can request the deletion of their data where there is no compelling reason for its continued use.
- The right to restrict processing – Parents, staff and website users can object to the processing of their data. This means that it can be stored, but must not be used in any way.

However, this may mean that it becomes untenable for us to provide a service to or employ an individual.

- The right to data portability – Our processes need to be able to move personal information safely & securely from one system to another, if necessary or requested. Please see our 'Data Transportation Policy'.
- The right to object – Parents, staff and website users can object to their data being used for certain activities like marketing or research. The objection must relate to their specific situation, and if an objection occurs we would need to demonstrate legitimate reasons for processing this data.
- The right not to be subjected to automated decision – making including profiling – This is mainly relevant for marketing based organisations.

Complaints

Complaints about how 3 Corners handles an individual's personal data should be made to the Business or Childcare Manager who will decide whether it is appropriate for the complaint to be dealt with in accordance with 3 Corners 'Complaints Procedure'. A copy of which will be provided on request.

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

Contacts

If you have any enquires in relation to this policy, please contact the Manager who will also act as the contact point for any subject access requests.

Further advice and information is available from the Information Commissioner's Office, www.ico.gov.uk

For complaints contact the Information Commissioner's Office on 0303 123 1113 or go to <https://ico.org.uk/concerns/>

Further advice and information is available from the Information Commissioner's Office, www.ico.gov.uk

This policy was agreed and adopted on 20.07.21 by Sharon McElhone (Business Manager) on behalf of the Management Committee:

Signature:

APPENDIX A

Contracts	Invoice details
Job application forms	Registration forms
Supervisions, development plans, appraisals	Child protection meeting minutes including Safeguarding referrals
DBS & EY2 records	Register of attendance
Emergency contact info	HC Booking forms
References	Early Education Funding forms
ID evidence & forms	Medical forms/information
Interview forms	Education & Health Care Plans
Induction records	Accident forms
Records of allegations	Incident reports
Signing in records	Chronologies
Qualifications/Certificates	Expression of interest forms
Disciplinary and grievance records	Learning journeys & other development records
Payroll records	Birth certs/passports
Bank details	Referral forms
Social media posts	Photos
Sickness records	SEN information
Complaints - log & written	Registration forms
Health & Safety Records	Outing & trip info
Risk assessments	
Insurance documents	
Financial information	
Website	

APPENDIX B

Retention periods for records

Children's records	Retention period
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 individual providers should determine how long to retain records relating to individual children.
	Until the child reaches the age of 21 - or until the child reaches the age of 24 for child protection, SEND records and health care plans. Records in relation to safeguarding concerns will also need to be kept in accordance with the Local Safeguarding Children Board's requirements
Records of any reportable death, injury, disease or dangerous occurrence	3 years after the date the record was made

Personnel records	Retention period
Application forms and interview notes for unsuccessful candidates	6 months to a year
Personnel files and training records (including disciplinary records and working time records)	6 years after employment ceases
	Records of unfounded allegations of a child protection nature must be kept until the person's normal retirement age or 10 years after the date of the allegation; allegations found to be malicious must be removed from personnel files.
DBS check information	Original DBS disclosures: a maximum of 6 months Providers must be able to show Ofsted they have kept a record of DBS disclosures and the DBS Code of Practice permits them to retain the following details: the date of issue of the certificate; the name of the subject; the type of certificate requested; the position for which the certificate was requested; the unique reference number; details of the recruitment decision taken.
Wage/salary records (including overtime, bonuses and expenses)	6 years
Statutory Maternity Pay (SMP) records	3 years after the end of the tax year to which they relate

Personnel records (cont)	Retention period
Parental leave records	5 years from the birth/adoption of the child or 18 years if the child receives a disability allowance
Statutory Sick Pay (SSP) records	6 years after employment ends
Income tax and National Insurance returns/records	At least 3 years after the end of the tax year to which they relate
Redundancy details, calculations of payments, refunds, notification to the Secretary of State	6 years after employment ends
National Minimum Wage Records	3 years after the end of the pay reference period following the one that the records cover
Pensions scheme and member records	6 years from the automatic enrolment staging date
	12 years from the ending of any benefit payable under the policy

Records of any reportable death, injury, disease or dangerous occurrence	3 years after the date the record was made
Accident/medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH)	40 years from the date of the last entry
Assessments under Health and Safety Regulations and records of consultations with safety representatives and committees	Permanently
	For the life of the assessment plus 3 years

Financial records	Retention period
Accounting records (e.g. cash books, invoices, receipts)	3 years from the end of the financial year for private and charitable companies, 6 years for public limited companies
	6 years for charities

Administration records	Retention period
Employers' liability insurance records	For as long as possible
Visitors books/signing in sheets	The current year plus 6 years
Policy documents	For the life of the policy/setting plus 3 years
Complaints	At least 6 years after the date of resolution of the complaint
Minutes/minute books	At least 10 years from the date of the meeting for companies
	At least 6 years from the date of the meeting for Charitable Incorporated Organisations
	Permanently

APPENDIX C

3 Corners Privacy Notice for Parents

IMPORTANT: Please acknowledge that you have read this Privacy Notice and that you give permission for us to contact you regarding relevant matters by replying to this email at the earliest opportunity.

In accordance with recent changes to the law we are updating our Data Protection Policies and Procedures. We are sending you this notice to inform you how we handle your personal data.

Here at 3 Corners we take your privacy seriously and only use your personal information to provide tailored care for each child that attends our setting and to communicate with parents and manage parent accounts.

We collect only the following types of data, as is required to fulfil our statutory, legal and contractual obligations:

- Records relating to your child's development, as required by Ofsted and the EYFS
- Personal details required by the Local Authority for funding purposes
- Contractual details including attendance registers and fees information
- Emergency details including your contact details and records of your child's health and care needs
- Safeguarding and child protection records as required by law
- Any records required to support your child, such as information from other agencies
- Where we use photographs in the setting, on our website, Facebook page or for advertising, parents will have given their explicit permission to do so on our Registration Form and may withdraw consent to do so at any time

We ensure the security of your personal information by keeping paper records in an office that is accessible only to staff members during working hours and locked at night. Electronic records are kept securely on computers protected by password and accessible only to staff. We also have procedures in place where personal information may be transported between sites. Please see our 'Transportation of Personal Data Policy', available on our website 3cornerstriangle.com

Data is shared internally, on a 'need to know basis' and with third parties, only where we are contractually, legally or statutorily obliged to do so or where parents have given explicit consent. Parents have the right to withdraw this consent at any time.

You have the right to ask to see the data that we have about yourself or your child and to ask for any errors to be corrected. We will respond to all such requests within one month. Please see our 'Subject Access Request Procedure', available on our website 3cornerstriangle.com

You can also ask for the data to be deleted, but note that:

- We will not be able to continue to care for your child if we do not have sufficient information about them
- Even after your child has left our care, we have a statutory duty to retain some types of data for specific periods of time, so cannot delete everything immediately. For retention periods,

please see our Data Protection Policy, which can be accessed on our website 3cornerstriangle.com

When retention periods have expired we will ensure that your data is securely disposed of in a timely manner either by shredding, burning or secure deletion of electronic data.

Complaints

If you have a complaint about how we have kept your information secure, or how we have responded to a request to access, update or erase data, you can refer us to the Information Commissioner's Office (ICO) on 0303 123 1113 or go to <https://ico.org.uk/concerns/>

APPENDIX D

3 Corners Privacy Notice for Employees

IMPORTANT: Please acknowledge that you have read this Privacy Notice by replying to this email at the earliest opportunity.

In accordance with recent changes to the law we are updating our Data Protection Policies and Procedures, which you can access, in full, on our website. We are sending you this notice to inform you how we handle your personal data.

Here at 3 Corners we take your privacy seriously and only use your personal information to recruit, retain, manage and pay our employees.

We collect only the following types of data, as is required to fulfil our statutory, legal and contractual obligations as an employer:

- Your contact details, including the emergency contact information of your next of kin. You are responsible for obtaining their permission to provide us with this information. You may also wish to inform them of our data protection practises.
- In order to process payroll and pension contributions we hold your DOB; national insurance number; income and bank details. We also hold payroll records in accordance with our legal obligations.
- Identity checking information including passport, driver's license, birth certificate and other acceptable forms of verification of address. Where possible, these documents are checked, only the relevant information recorded and returned on the spot or otherwise stored securely and returned later the same day. Where the relevant forms are submitted, via email, to the relevant agency for DBS/safeguarding checks the forms are shredded. The emails are deleted once the DBS check is complete.
- Personnel records including application form; a record of your qualifications; sickness absence records; records of professional supervision; disciplinary and grievance records.
- We may use your photograph on our website, Facebook page or for advertising. We will seek your explicit consent to do so which you may withdraw at any time.

We ensure the security of your personal information by keeping paper records in a locked file. Electronic records are kept securely, accessible only to the Childcare and Business Manager. We also have procedures in place where personal information may be transported between sites. Please see our 'Transportation of Personal Data Policy', available on our website 3cornerstriangle.com

Data is shared internally, on a 'need to know basis' and with third parties, only where we are contractually, legally or statutorily obliged to do so or where you have given explicit consent. You have the right to withdraw your consent at any time.

You have the right to ask to see the data that we have about you and to ask for any errors to be corrected. We will respond to all such requests within one month. Please see our 'Subject Access Request Procedure', available on our website 3cornerstriangle.com

You can also ask for the data to be deleted, but note that:

- We may be unable to fulfil our statutory and contractual obligations as your employer, if we do not have sufficient information.
- Even after you have left our employment, we have a statutory duty to retain some types of data for specific periods of time, so cannot delete everything immediately. For retention periods, please see our Data Protection Policy, which can be accessed on our website 3cornerstriangle.com

When retention periods have expired we will ensure that your data is securely disposed of in a timely manner either by shredding, burning or secure deletion of electronic data.

Complaints

If you have a complaint about how we have kept your information secure, or how we have responded to a request to access, update or erase data, you can refer us to the Information Commissioner's Office (ICO), with whom we are registered, on 0303 123 1113 or go to <https://ico.org.uk/concerns/>

APPENDIX E

3 Corners Privacy Notice for Management Committee Members

IMPORTANT: Please acknowledge that you have read this Privacy Notice by replying to this email at the earliest opportunity.

In accordance with recent changes to the law we are updating our Data Protection Policies and Procedures, which you can access, in full, on our website. We are sending you this notice to inform you how we handle your personal data.

Here at 3 Corners we take your privacy seriously and only use your personal information to fulfil our statutory obligations as a charity and in relation to safeguarding.

We process only the following types of data, as is required to fulfil these obligations:

- Your contact details and your DOB
- Identity checking information including passport, driver's license, birth certificate and other acceptable forms of verification of address. Where possible, these documents are checked, only the relevant information recorded and returned on the spot or otherwise stored securely and returned later the same day. Once the relevant forms are submitted, via email, to Ofsted for DBS/safeguarding checks the forms are deleted. The emails are deleted once the DBS check is complete.
- We may use your name and photograph on our website, Facebook page or for advertising. We will seek your explicit consent to do so which you may withdraw at any time.

We ensure the security of your personal information by keeping paper records in an office that is accessible only to staff members during working hours and locked at night. Electronic records are kept securely, accessible only to the Childcare and Business Manager. We also have procedures in place where personal information may be transported between sites. Please see our 'Transportation of Personal Data Policy', available on our website 3cornerstriangle.com

Data is shared internally, on a 'need to know basis' and with third parties, only where we are contractually, legally or statutorily obliged to do so or where you have given explicit consent. You have the right to withdraw your consent at any time.

You have the right to ask to see the data that we have about you and to ask for any errors to be corrected. We will respond to all such requests within one month. Please see our 'Subject Access Request Procedure', available on our website 3cornerstriangle.com

You can also ask for the data to be deleted, but note that:

- We may be unable to fulfil our statutory obligations if we do not have sufficient information.
- Even after you have left our management committee, we have a statutory duty to retain some types of data for specific periods of time, so cannot delete everything immediately. For retention periods, please see our Data Protection Policy, which can be accessed on our website 3cornerstriangle.com

When retention periods have expired we will ensure that your data is securely disposed of in a timely manner either by shredding, burning or secure deletion of electronic data.

Complaints

If you have a complaint about how we have kept your information secure, or how we have responded to a request to access, update or erase data, you can refer us to the Information Commissioner's Office (ICO), with whom we are registered, on 0303 123 1113 or go to <https://ico.org.uk/concerns/>