

**Rainbow Playgroup General Data Protection Regulation Policy GDPR**

The general Data Protection Regulation (GDPR) is a new EU law that will come into effect on 25 May 2018. It will replace the current Data Protection Act 1998. GDPR will give individuals greater control over their own personal data.

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 consent. GDPR covers personal data relating to individuals.

Rainbow playgroup is committed to protecting the rights of individuals with respect to the processing of children’s, parent’s, visitors and staff personal details.

Rainbow Playgroup is registered with the information Commissioners Office (ICO) under registration reference: **ZA079377.** The certificate is displayed on the board in the office.

The GDPR affords individuals the following rights:

1. **Right to be informed**

Rainbow Playgroup is a registered Childcare provider with Ofsted and as so, is required to collect and manage certain data including:-

* Parent’s names, addresses, telephone numbers, email addresses, date of birth and National Insurance numbers.
* 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 to City of York Council this information is sent to the Local Authority via a secure electronic file transfer system.

As an employer Rainbow Playgroup is required to hold data on its employees:-

* Names, addresses, email addresses, telephone numbers, date of birth, National Insurance numbers, emergency contact name and bank details.

This information is also required for Disclosure and Barring Service checks (DBS) and proof of eligibility to work in the UK. This information is sent via a secure file transfer system to Capita for the processing of DBS Checks.

1. **Right of Access**

Rainbow Playgroup is a registered charity Registration No: **1021220.**

At any point an individual can make a request relating to their data and Rainbow Playgroup will need to provide a response (within 1 month).

Rainbow 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.

1. **Right to rectification**

The GDPR includes a right for individuals to have inaccurate personal data rectified, or completed if it is incomplete. At any point an individual can make a request for rectification verbally or in writing and Rainbow Playgroup will need to provide a response (within 1 month). In certain circumstances you can refuse a request for rectification.

1. **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 Rainbow Playgroup has a legal duty to keep children’s and parents details for a reasonable time:-

* Parent/Child contact details – 3 years.
* Child Accident/Injury records – until the child reaches 21
* Child Protection records – until the child reaches 24.
* Staff records - 6 years after employment ceases.
* Application Forms and interview notes – 1 year.

This data is archived securely and shredded after the legal retention period.

1. **Right to restrict processing**

Parents, visitors and staff can object to Rainbow 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.

1. **Right to data portability**

Rainbow Playgroup use secure file transfer systems and make sure that recipients have their own policies and procedures in place in relation to GDPR.

1. **Right to object**

Parents, visitors and staff can object to their data being used for certain activities like marketing or research.

1. **Right not to be subject to automated decision-making including profiling**

Automated decisions and profiling are used for marketing based organisations. Rainbow Playgroup does not use personal data for such purposes.

**Storage and the use of personal information**

All paper copies of children’s and staff records are kept in a locked filing cabinet. Members of staff can have access to these files but information taken from the files about individual children is confidential, 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, weekly register, medication forms, referrals to external agencies and disclosure forms. These documents include data such as children’s names, DOB and sometimes address. These documents are shredded after the relevant retention period.

Rainbow Playgroup collects a large amount of personal data every year including: names and addresses, DOB of those on the waiting list. These records are shredded if the child doesn’t attend or added to the child’s file and stored securely.

Information regarding families’ involvement with other agencies is stored both electronically and in paper format; this information is kept in a locked filing cabinet. These records are shredded after the relevant retention period.

Upon a child leaving Rainbow Playgroup and moving on to school, or another setting data held on the child may be shared with the relevant school/setting. For children attending a different school/setting the parent/carer will be given the data to deliver. If the school is Carr the playgroup manager will deliver this personally.

Rainbow Playgroup uses photographs these are stored on the computer and in children’s learning journals.

Access to the Office computer is password protected.

**GDPR means that Rainbow Playgroup must:-**

* Manage and process personal data properly.
* Protect the individuals rights to privacy.
* Provide an individual with access to all personal information held on them.

**General Data Protection Regulation Policy**

**GDPR**

|  |  |
| --- | --- |
| **Policy Reviewed and Readopted/****Amended on** (date) | **Committee Chair Signature** |
| May 18 |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |