



Data Protection Policy

At Emma's Angels Day Nursery Ltd we recognise that we hold sensitive/confidential information about children and their families and the staff we employ. This information is used to meet children's needs, for registers, invoices and emergency contacts. We store all records in a locked cabinet or on the office computer with files that are password protected in line with data protection principles. Any information that is shared with the staff team, is done on a 'need to know' basis and treated with confidence. This policy will work alongside the Privacy Notice to ensure compliance under General Data Protection Regulation (Regulation (EU) 2016/679 (GDPR) and Data Protection Act 2018.

Legal Requirements

- We follow the legal requirements set out in the Statutory Framework for the Early Years Foundation Stage (EYFS) 2021 and accompanying regulations about the information we must hold about registered children and their families and the staff working at the nursery.
- We follow the requirements of the General Data Protections Regulation (Regulations (EU) 2016/679 (GDPR), Data Protection Act 2018 and the Freedom of Information Act 2000 with regards to the storage of data and access to it.

Procedures

It is our intention to respect the privacy of children and their families, and we do so by:

- Storing confidential records in a locked filing cabinet or on the office computer with files that are password protected.
- Ensuring staff, student and volunteer inductions include an awareness of the importance of confidentiality and that information about the child and family is not shared outside of the setting other than with relevant professionals who need to know that information. It is not shared with friends and family, discussions on the bus or at the local bar. If staff breach any confidentiality provisions, this may result in disciplinary actions and, in serious cases, dismissal. Students on placement in the nursery are advised of our confidentiality policy and required to respect it.
- Ensuring that all staff, volunteers and students are aware that this information is confidential and only for use within the nursery and to support the child's best interests with parental permission.
- Ensuring that parents have access to files and record of their own children but not to those of any other child, other than where relevant professionals such as the police or local authority children's social care team decide this is not in the child's best interest.

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- Ensuring all staff are aware that this information is confidential and only for use within the setting. If any of this information is required for whatever reason, the parent's permission will always be sought other than in the circumstances above.
- Ensuring staff do not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs.
- Ensuring staff, students and volunteers are aware of and follow our social networking policy in relation to confidentiality.
- Ensuring issues concerning the employment of staff remain confidential to the people directly involved with making personnel decisions.
- Ensuring any concerns/evidence relating to children's personal safety are kept in a secure, confidential file and are shared with as few people as possible on a 'need to know' basis. If, however, a child is considered at risk, our safeguarding/child protection policy will override confidentiality.
- We store any archives i.e., medication/accident forms, ex-employee data, payroll information on USB's which are encrypted. We only keep archives for legal requirements.

All the undertakings above are subject to the paramount commitment of the nursery, which is to the safety and well-being of the child.

General Data Protection Regulation (regulation (EU) 2016/679 (GDPR) compliance.

In order to meet our requirements under GDPR we will also undertake the following:

1. We will ensure our terms & conditions, privacy and consent notices are easily accessed/made available in accurate and easy to understand language.
2. We will use your data to ensure the safe, operational and regulatory requirements of running our setting, these include medication & accidents forms, sharing information with staff for emergencies etc. We will only contact you in relation to the safe, operational and regulatory requirements of running our setting We will not share or use your data for other purposes. Further detail can be found in our GDPR policy on our website.
3. Everyone in the setting understands that people have the right to access their records or have their records amended or deleted (subject to other laws and regulations)
4. We will ensure staff have due regard to the relevant data protection principles, which allow them to share (and withhold) personal information, as provided for in the Data Protection Act 2018 and the GDPR. This includes:
 - Being confident of the processing conditions which allow them to store and share information for safeguarding purposes, including information, which is sensitive and personal, and should be treated as 'special category personal data.'
 - Understanding that 'safeguarding of children and individuals at risk' is a processing condition that allows practitioners to share special category personal data. This includes allowing practitioners to share information without consent where there is good reason to do so, and that the sharing of information will enhance the

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safeguarding of a child in a timely manner, but it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk.

Staff and volunteer information

- All information and records relating to staff will be kept confidentially in a locked cabinet.
- Individual staff may request to see their file at any time.
- Only information necessary to process payroll and pension information will be shared with Azets who process our payroll.
- Name, DBS numbers, date of process and role information will be shared with Rawdon St Peters Primary School as part of our joint Safeguarding process.