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GDPR POLICY

Effective from May 2018. Latest future review date: September 2020
Written by Louise Kirby

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Key Abbreviations

SCC = Surrey County Council

Kindiejoes = The Kindergarten at St. Joseph's

Parents = Parents and Carers

1. Policy Aims

Kindiejoes aims to fulfil its obligations under the *General Data Protection Regulation (GDPR) 2017* to the fullest extent. This policy sets out our commitment to protecting personal data and how that commitment is implemented in respect of the collecting, processing, using, storing and sharing of personal data.

2. How we are fulfilling our obligations

We have appointed a Data Protection Co-ordinator who is responsible for ensuring our compliance with the *GDPR*, contact details are:

Name: Liam Kirby
Telephone: 01372 720218
Email: bursar@kindiejoes.co.uk

We are registered with the Information Commissioners Office (ICO).

All staff, volunteers (and committee) have undertaken training in *GDPR* and are aware of their responsibilities in collecting, using and sharing data.

We have a privacy notice that sets out the lawful bases for processing the data, the legitimate interests for the processing, individual's rights and the source of the personal data.

We have a process in place to record any data breaches and a form for reporting breaches to the ICO and any investigations.

We have a policy in place for the retention of documents and archiving of them.

We have an asset register in place to record the different types of information and documentation that we hold. This is updated regularly. We also have a spreadsheet showing how information is processed, stored and shared

3. Our Privacy Notice

Kindiejoes is committed to ensuring that any personal data we hold about you and the children is protected in accordance with data protection laws and is used in line with stakeholders' expectations.

What personal data do we collect?

We collect personal data about parent/carer and children to provide care and learning that is tailored to meet each child's individual needs. We also collect information in order to verify parent/carer eligibility for funded childcare as applicable.

Personal details that we collect about children include:

- child's name, date of birth, address, health and medical needs, development needs, and any special educational needs [add further details as necessary]

Where applicable we will obtain child protection plans from social care and health care plans from health professionals.

We will also ask for information about who has parental responsibility for children and any court orders pertaining to the child.

Personal details that we collect about parent/carer include:

- name, home and work address, phone numbers, emergency contact details, and family details

Some of this information will be collected from you directly on the Formal Agreement, some of it you will have to add to our administration platform, Family .

If you apply for up to Early Years Pupil Premium will also collect:

- your national insurance number

Why we collect this information and the legal basis for handling your data

We use personal data about you and your child in order to provide childcare services and fulfil the contractual arrangement you have entered into. This includes using your data to:

- contact you in case of an emergency
- to support your child's wellbeing and development
- to manage any special educational, health or medical needs of your child whilst at our setting
- to carry out regular assessment of your child's progress and to identify any areas of concern
- to maintain contact with you about your child's progress and respond to any questions you may have
- to process your claim for funded childcare and Early Years Pupil Premium.
- to keep you updated with information about our service

With your consent, we will also record your child's activities for their individual learning record. This may include photographs and videos. You will have the opportunity to withdraw your consent at any time, for images taken by confirming so in writing.

We have a legal obligation to process safeguarding related data about your child should we have concerns about their welfare. We also have a legal obligation to transfer records and certain information about your child to the school that your child will be attending.

Who we share your data with

In order for us to deliver childcare services we will also share your data as required with the following categories of recipients:

- Ofsted - during an inspection or following a complaint about our service
- banking services to process direct debit payments
- the Local Authority
- our insurance underwriter
- our setting software management provide, Family
- the school that your child will be attending

We will also share your data if:

- We] are legally required to do so, for example, by law or by a court
- to enforce or apply the terms and conditions of your contract with us]
- to protect your child and other children; for example by sharing information with social care or the police;
- it is necessary to protect our or others rights, property or safety
- We transfer the management of the setting, in which case we may disclose your personal data to the prospective buyer so they may continue the service in the same way.

We will never share your data with any other organisation to use for their own purposes

How do we protect your data?

We protect unauthorised access to your personal data and prevent it from being lost, accidentally destroyed, misused, or disclosed by:

- Storing as much electronically on our internal network
- Using password protection on sensitive documents
- Hard copies of documents are kept securely in a lockable drawer in the office which is locked when not in use.
- Sensitive information that requires sharing such is sent by encrypted email.

How long do we retain your data?

We retain your child's personal data for up to 3 years after your child no longer uses our setting, or until our next Ofsted inspection after your child leaves our setting.

Medication records and accident records are kept for longer according to legal requirements. Your child's learning and development records are maintained by us and handed to you when your child leaves.

In some instances (child protection, or other support service referrals) we are obliged to keep your data for longer if it is necessary to comply with legal requirements.

Automated decision-making

We do not make any decisions about your child based solely on automated decision-making.

Your rights with respect to your data

You have the right to:

- request access, amend or correct your/your child's personal data
- request that we delete or stop processing your/your child's personal data, for example where the data is no longer necessary for the purposes of processing; and
- request that we transfer your, and your child's personal data to another person

If you wish to exercise any of these rights at any time or if you have any questions, comments or concerns about this privacy notice, or how we handle your data please contact us. If you have continue to have concerns about the way your data is handled and remain dissatisfied after raising your concern with us, you have the right to complain to the Information Commissioner Office (ICO). The ICO can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or ico.org.uk/

Changes to this notice

We keep this notice under regular review. You will be notified of any changes where appropriate.

4. Procedure

Kindiejoes is aware that data protection legislation applies equally to children and staff. Article 5 of the GDPR sets out the principles that we work to.

- Data must be processed fairly, lawfully and in a transparent manner.
- Data must only be obtained for specified and lawful purposes.
- Data must be adequate, relevant and not excessive (limited to what is necessary).
- Data must be accurate and up to date.
- Data must not be kept for longer than necessary.
- Data must be securely kept.

We use the GDPR rights for individuals.

- The right to be informed.
- The right of access.
- The right to rectification.
- The right to erasure.
- The right to restrict processing.
- The right to data portability.
- The right to object.
- Rights in relation to automated decision-making and profiling.

The following procedures apply to information held about children.

- A child's educational record is kept on our electronic app Family. Parents have immediate access to it.
- When a child moves to a new setting, all educational records relating to the child will be sent to the new setting. This includes copies of reports and any personal education plans. To ensure security, this data will be sent electronically using a secure email system within 15 days of the child ceasing to be registered at Kindiejoes, where possible. If the new setting is not known, every effort will be made to contact the parents or carers by post, telephone or email.
- Children's records will be stored securely. Paper files are locked in a secure place. Electronic files are stored on our internal network. Computers within the provision are kept secure with appropriate software to ensure maximum protection against ransom and malware which is regularly updated. All data is securely backed up.
- Information that is shared is done securely using a secure email system or password protection of the document.

The following procedures apply to information held about staff.

- Staff are asked to check the personal data held on Family each year.
- Members of staff are required to read this information carefully and inform Louise at the earliest opportunity if they believe that anything is inaccurate or untrue, or if they are dissatisfied with the information in any way.
- Requests for additional access must be sent to Louise. Each request will be judged in light of the nature of the information in question and the frequency with which it is updated. The member of staff will then be informed whether or not the request is granted. In the event of a disagreement, the matter will be taken up under the formal grievance procedure.
- If a request for additional access is granted, the information will be provided within 30 days of the date of the request. A fee will not be charged to gain access to the data. However, we can charge a "reasonable fee" if a request is manifestly unfounded or excessive, particularly if it is repetitive. We may also charge a reasonable fee to comply with requests for further copies of the same information. The fee will be based on the administrative cost of providing the information.

We have contracts with the following organisations:

- Ofsted
- Surrey County Council
- Diocese of Arundel and Brighton
- Early years Foundations Stage
- JCS IT Solutions
- Family

We have documents from each contractor confirming their compliance with GDPR.

We have agreed safe sharing of information.

Confidentiality agreements are in place.

5. Complaints

Kindiejoes has a complaints procedure in place for parents who are not satisfied with the provisions of this policy. Please refer to our complaints policy.