

**ABC NURSERY POLICIES AND PROCEDURES****POLICY 26: Data Protection**

26.1 The ABC Nurseries holds and processes information about employees, parents and children, students and volunteers. When handling such information the ABC Nurseries and all staff who process or use any personal information must comply with the Data Protection Principles that are set out in the Data Protection Act 1998

In summary these state that personal data shall:

- Be processed fairly and lawfully
- Be obtained for a specific and lawful purpose and shall not be processed in any manner incompatible with the purpose.
- Be adequate, relevant and not excessive for the purpose.
- Be accurate and kept up to date.
- Not to be kept longer than necessary for the purpose.
- Be processed in accordance with the data subject's rights.
- Be kept safe from unauthorised processing, and accidental loss, damage or destruction.

**26.2 Definitions:**

Data subjects shall include: Staff, students, volunteers, parents and children.

Third parties include: referees, friends or family members of parents and staff, information on other professionals who visit children with specific needs at the setting.

Processing is defined as any action involving personal information, including obtaining, viewing, copying, amending, adding, deleting, extracting, storing, disclosing or destroying information.

**26.3 Staff responsibilities:**

26.3.1 All staff shall:

- Ensure that all personal information which they provide to the ABC Nurseries is accurate and up-to-date
- Inform the ABC Nurseries of any changes to information. e.g. changes of address, telephone contact numbers, name etc.
- Check any information that the ABC Nurseries makes available from time-to-time and inform the ABC Nurseries of any errors. The ABC Nurseries cannot be held responsible for errors of which it has not been informed.

26.3.2 When staff hold or process information about other data subjects they should comply with the data protection guidelines.

26.3.3 Staff shall ensure that

- All personal information is kept securely

- Personal information is not disclosed either orally or in writing accidentally or otherwise to any unauthorised third party.
- Personal information disclosed to third parties such as other professionals who come into the nursery to work with specific children will only be disclosed to them with the parents' consent.
- Disclosure of unauthorised information may be a disciplinary matter, and may be considered to be gross misconduct in some cases.
- Information on staff or parents' personal details eg: addresses / contact numbers will not be given out to any other parent or person without their prior permission.
- Information on parents' family, lifestyle, social circumstances, allergies, health or mental conditions and religious beliefs will be shared only with other practitioners where this could affect the child's wellbeing and care.
- Information on health & mental conditions, allergies and dietary needs of children will be shared with all practitioners that have direct contact with the child.

#### **26.4 Rights to Access Information:**

- Staff, parents and any other data subjects have the right to access any personal data that is being kept about them either on computer or in structured and accessible manual files. Any person may exercise this right by submitting a request in writing to the Nursery Manager.
- The ABC Nurseries aims to comply with requests for access to personal data and will process information within 7 days of the request.

#### **26.5 Sensitive information:**

- The ABC Nurseries may handle sensitive information about a member of staff's health, disabilities, criminal convictions, race or ethnic origin and trade union membership.
- The ABC Nurseries may handle sensitive information provided by parents and their children on their health, disabilities, race or ethnic origin, family, social and lifestyle circumstances.
- The ABC Nurseries also asks for information about particular health needs of staff and children.
- The ABC Nurseries will only use such information to protect the health and safety of these individuals, for example, in the event of an emergency or to protect the children in the administering of medicines, managing a medical condition, a dietary allergy or a dietary need that may arise from the parents' views or religious beliefs.

#### **26.6 The Data Controller and Designated Data Controllers.**

The ABC Nurseries is the data controller under the act and the owners Mrs. Pyner and Mr. Margetts are ultimately responsible for implementation. Responsibility for

day-to-day matters will be delegated to Nursery Managers as designated data controllers.

## 26.7 Retention and storage of Data:

The ABC Nurseries will keep different data for differing lengths depending on legal and operational requirements.

Information received from the parents about themselves and their child will be stored in paper form in the essential information files that are stored in a safe cupboard / office.

Information held in paper form will be stored for no more than 5 years.

Information is also transferred into the Nursery Management Programme on the computer. This is safely stored in the office and there are passwords to access this programme. Only the nursery manager and administration staff have knowledge of this password.

Information stored on the Nursery Manager Programme will be deleted after 3 years of storage.

26.8 The ABC Nurseries has notified the Information Commissioner that personal information may need to be processed for the following reasons.

1. Staff administration.
2. Parent administration.
3. Parent and child support.
4. Support to professionals working with children in the nursery with specific needs.

26.9 Descriptions of Information Stored:

### 26.9.1 The following information on parents will be held by the nursery:

- Home addresses and home telephone numbers
- Workplace addresses and contact telephone numbers
- Emergency contact numbers of grandparents / neighbour / friend etc given to us by the parents
- Signatures of those parents / carers who will be collecting the children on the security form and used for security purposes to prevent any unauthorized person collecting a child.
- Any history of any family health conditions e.g. allergies / allergic reactions (peanut/ bee stings) that may affect their child with the need to pre-warn staff of these conditions should a situation arise.
- Any family, lifestyle and social circumstances that have been willingly divulged to the nursery manager by both parents and this information has been written on the admissions/ induction forms.
- Any letters of complaints written by parents

- Any copies of court orders where a parents or primary carer has been denied access.

**26.9.2 The following information is held on the child:**

- Information pertaining to dietary needs.
- GP contact details
- Details of past illnesses.
- Details of inoculations.
- Racial or ethnic origin
- Religious or other beliefs of a similar nature
- A physical or mental health or condition. (33.12)

**26.9.3 The following information is held on the staff:**

- Home addresses
- Contact details / telephone numbers of next of kin
- Contact telephone numbers / home and mobile
- Any physical or mental health or condition past or present.
- Family, lifestyle and social circumstances.
- National Insurance number
- Tax code information
- Application form: including details of health, past schooling, qualifications gained and past employment.
- Records of any accidents/incidents that happen in the nursery or any medicines given in nursery.

