



*'Do Re Mi Day Nursery aims to be an inspiring and imaginative place to give children the best learning opportunities and to create amazing memories'.*

## **DATA PROTECTION POLICY**

### **Policy Statement**

Do Re Mi Day Nursery 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.

Our Data Protection Co-ordinator, the Nursery Manger, is responsible for ensuring our compliance with the GDPR.

We are registered with the Information Commissioners Office (ICO), and our certificate is displayed in Nursery.

All staff have undertaken training in the 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.

### **Procedure**

This provision 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.

1. A child's educational records will be disclosed to their parent or carer on submission of a written request. Requests will only be refused if it is obvious the requester does not understand what they are asking for, or if disclosure is likely to cause them or anyone else serious physical or mental harm.
2. A child's educational records will be made available without charge within one month of receipt of the written request. If a copy of the information is requested, a charge may be made but it will not exceed the cost of supply.
3. Children's records will be stored securely. Paper files are locked in the provision's office. Electronic files are stored on 'Nursery in a box' (NIAB), our secure online management system. The software providers are also in compliance with the current General Data Protection Regulations (GDPR) and are registered with the Information Commissioner's Office (ICO). Computers within the provision are kept secure with appropriate software to ensure maximum protection against ransom and malware which is regularly updated.

The following procedures apply to information held about staff.

1. A copy of staff's personal data is held in their staff file, and also on computers.
2. Members of staff are required to inform the Manager at the earliest opportunity if they believe that any information held is inaccurate or untrue, or if they are dissatisfied with the information in any way.
3. Requests for access must be sent to Jane Todd, Director. 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.
4. 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.

The following procedures apply to any third parties that we are contracted with.

- We have documents from each contractor confirming their compliance with GDPR.
- We have agreed safe sharing of information.
- Confidentiality agreements are in place.

We have contracts with the following organisations:

**Tapestry**

Tapestry is a cloud-based software that we use for our learning journals. We are in a GDPR compliant contract with Tapestry that formalises the relationship between data controller (Do Re Mi Day Nursery) and data processor (Tapestry). Tapestry has servers located in both the Republic of Ireland and Germany.

**Nursery in a Box**

Nursery In A Box is our nursery management software. They are also in compliance with the current General Data Protection Regulations (GDPR) and are registered with the Information Commissioner's Office (ICO).

Nursery in a Box is cloud-based, with servers located in datacentres throughout the UK. Nursery In A Box encrypt all data including emails, passwords, and all other details using AES-256 Encryption. SSL (Secure Sockets Layer) is an example of security technology that makes transmission of information safe and secure.

**ABC North East Accounting**

ABC carry out our monthly payroll and so have access to personal staff information. ABC are registered with ICO and comply with GDPR requirements.