



10.2 Our Data Protection and Confidentiality Policy

At Little Gillies 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 shared with the staff team is done on a 'need to know' basis and treated in 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 Protection Regulation (Regulation (EU) 2016/679 (GDPR), Data Protection Act 2018 and the Freedom of Information Act 2000 with regard 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 the need to protect the privacy of the children in their care as well as the legal requirements that exist to ensure that information relating to the child is handled in a way that ensures confidentiality.
- Ensuring that all staff, volunteers and students are aware that this information about children and families 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 records 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
- 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 a child'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.



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 Nursery. We will only contact you in relation to the safe, operational and regulatory requirements of running our Nursery, these include. We will not share or use your data for other purposes.
3. Everyone in our nursery 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.'
5. 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 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

Personal data will be collected in the form of:

Child:	Parent:	Staff member:	External Organisations:
Name	Name (title)	Name (title)	
Birth certificate	Relationship to child	Job title	Tapestry online Learning journey
Passport	Telephone number(s)	Passport	Local Authority
Red health book number	Email address	Driving licence	Health Professionals
	Home address	Birth certificate	Website supplier
Name of parents	Name of employer	Marriage certificate	
Health information	Address of employer	Address	
Religious beliefs	Telephone of employer	Telephone number	
Language spoken	Email of employer	Email address	



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Ethnicity /race	National Insurance Number	National Insurance number	
Gender	Marital status	Marital Status	
GP Name	Tapestry data (email /phone)	Ethnicity / race	
GP phone number	Ethnicity	Religious beliefs	
Health Visitor address	Marital status	DBS number and expiry date	
Health visitor phone number	EYPP eligibility	Qualification/training details	
NHS number	Bank account details	Medical details / health records	
Allergies	Spoken language	References	
Special educational needs	Ethnicity / race	Gender	
Photographs	Nationality	Next of kin	
Video		Bank details	
Address		Tax status	
Attendance information		Payroll records	
Emergency contact		Salary	
Tapestry data (observations, photographs)		Annual leave	
		Pension	
		Benefits information	
		Start date	
		Recruitment information	
		Employment records	
		Personal files	
		Records of reportable death, injury, disease and dangerous occurrence	
		Details of absences	
		Reason for leaving previous employment	

Staff and volunteer information

- All information and records relating to staff/volunteers will be kept confidentially in a locked cabinet



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- Individual staff may request to see their own personal file at any time.

All policies and procedures are implemented, reviewed and updated on an annual basis or in line with any changes to local and national guidance/legislation in conjunction with the registered person.

This policy was adopted at a meeting of Little Gillies

Held on.....

Date to reviewed

Signed on behalf of the provider.....

Name of signatory.....

Role of signatory.....

Reviewed by Sarah Beresford

Date June 2023