

## **Privacy Policy (GDPR) / Confidentiality Policy**

From 25<sup>th</sup> May 2018, it has been an EU legal requirement for all organisations to be compliant with how they use and store data. The nursery has updated their Confidentiality Policy to incorporate any changes necessary to be compliant with the new GDPR (General Data Protection Regulation).

The nursery adheres to the Students' Union GDPR Policy which includes the use and storage of information during recruitment and includes any information held and shared regarding current nursery staff. Please see below procedures that are relevant to how the nursery use and store personal data of parents and children:

The nursery data compliance lead is Karen Roe, the Nursery Manager, contact details are 02079197111 or Karen.roe@goldsmithssu.org.

The nursery understands the importance of your privacy and how your data is gathered, shared and stored. Personal data that is collected from you is obtained for the purpose of safeguarding the children in our care (for their well-being and for child protection), for example, emergency contact details are stored in case your child has an accident or is unwell so that you, or your nominated contacts, can be contacted immediately. Data that is collected by nursery staff, regarding children's progress, is used and stored solely for the purpose of promoting children's learning and development.

### **Storing Data (Securely)**

The majority of your personal data, most of which is located on your Admissions forms, is stored in a secure place (locked cabinet) in the nursery office and it remains in its hard copy format. No data of this kind is shared online or via any other method without prior written consent from you. Please refer to our Policy Pack, including Photograph Policy, Safeguarding Policy and SEND (Special Educational Needs and Disability) Policy for further details of where and when written consent is sought for sharing data. Please also refer to the consents that you have completed on your child's Admissions Forms with regards to sharing specific data, including photographs, video recordings, emailing parent groups, transition reports, two year checks and sharing parental feedback.

Accident, incident and medication records in relation to your child are all stored securely, again, in a locked cabinet in the nursery office. Accident records will be retained until a child is 21 years of age, where they have required any professional medical intervention. Safeguarding records will be kept until a child is 25 years old. Staff 'health' records will be retained for 40 years. Insurance certificates will be kept for 50 years.

### **Additional Data**

Your child's profile, which is a learning journey of their time at nursery, contains photos of your child and their peers as well as documenting their progress and activity/education plans, it also includes any care plans they may have and developmental reports from outside agencies. These profiles are not kept locked away but are stored in your child's playroom so that they are accessible for parents to view at any time they wish to, in line with Ofsted requirements.

When your child is 3 and 4 years old we share relevant information with Lewisham Local Authority in order to gain 3 and 4 year old funding for them, any data shared with the LA is signed by the parent prior to sharing the information in order to gain consent.

Other local agencies may also request information about your child, for example, if they have a special educational need. Please be assured, we would never share such information without seeking your written consent beforehand.

Emergency phone numbers are kept inside the classroom registers for the parents/carers of all nursery children in case we need to contact a parent very quickly in the event of an emergency concerning a child.

Application for a nursery place is completed online via the Students' Union website. Completed application forms can only be viewed by The Students' Union Media and Communications Team and The Students' Union Senior Management Team and Karen Roe, the Nursery Manager. A hard copy of all application forms is kept in the waiting list file in a secure cabinet in the nursery office.

Names of parents and children and parents' email addresses and how many days that their child attends nursery are shared with The Students' Union Finance department for the purpose of invoicing parents for fee paying and, subsequently, for chasing any debt. Finance may also contact you via telephone if they are unsuccessful in communicating with you via email.

Your personal data, as a parent (and your child's data) will be stored for up to two years after your child leaves the nursery (except for those specifically stated in this policy that must be retained for longer periods). If we require an extension to this period of time, for a particular reason, we will contact you asking for written consent, detailing the purpose of sharing/storing your data for a longer duration. Students' Union Finance may keep financial records for up to six years after your child leaves nursery.

Please note this list is not exhaustive and we will seek consent in writing before sharing any other personal data. We will shortly be devising a GDPR Data Audit, which will be located on the notice board by the office entrance, detailing further how specific data is collected, used and stored.

**With regards to data protection, storage and usage, you have the following rights:**

- To be informed about the nursery collection and use of personal data
- To be able to access your personal data (request to be put in writing to Karen Roe)
- To rectify any inaccuracies/incomplete information that we hold on you
- To ask us to delete any personal data that we hold about you (if you would like it deleted sooner than the specified period). We cannot guarantee that we are able to do this if it contradicts specific legislation, for example, EYFS Statutory requirements.
- To prevent processing/sharing of your personal data without written consent (unless it is a child protection issue where the child's safety is deemed to be compromised by sharing information with you).
- You can reuse your data with another service/organisation

Please note that legislation around the Early Years Foundation Stage Statutory Framework (EYFS), Ofsted requirements, Local Authority and DFE requirements with regards to retaining and/or sharing data, will supersede GDPR if there is any legal or legitimate reason to hold this data accordingly.

Any personal data we store will only be shared on a 'need to know basis.' As stated previously we will not share any personal information without your written consent unless we perceive that a child may be at risk of harm and that it's in the immediate best interest of the child to restrict the sharing of information to certain parties.

### **Nursery Staff Procedures for Collecting, Sharing and Storing Data (in addition to procedures included in Students' Union Data and Information Security Policy)**

Staff to adhere to all nursery policies, including Confidential Policy, Safeguarding Policy, SEND Policy, Photograph Policy that detail ways that you must collect (including consent), use and store data.

During staff induction sessions, the GDPR policy will be highlighted to new staff.

If a school or outside agency calls to ask you to share information regarding a current nursery child, or a leaver, please ask them to write to us on headed paper or phone the organisation back to check the validity of the call.

Delete all photos, held on the nursery camera, at the end of every term.

Store cameras/USB sticks in locked cabinet overnight and when not in use.

Refer any nursery stakeholder to Karen Roe (nursery data protection lead) if they would like to raise any issue with regards to data protection.

Staff performance records and sickness records are stored in a locked cabinet in the nursery office.

If you take children's profiles home to work on, they must be kept in a secure place at home and only accessible to you, as the staff member, they must be brought back to work the following day.

Delete anything that you don't have a reason to keep, for example, old emails that are no longer needed.

Communication to parents can be verbal, via the email address they have provided on their admission forms or via the phone number(s) they have provided. Emails may only be sent from/to classroom email addresses or via Karen or Natalie's Goldsmiths Students' Union email addresses.

### **Complaints**

If you have any complaints regarding use of your personal data, please report it to Karen Roe (the nursery data protection lead) or failing that to the Students' Union Chief Executive, who is the organisations data protection officer, please also refer to the nursery Complaints Policy. If you are still dissatisfied after you have followed the complaints procedures please contact the Information Commissioners Office (ICO). Any breaches of data will be reported to the ICO within 72 hours.

Policy created by Karen Roe (with input from team) and approved by the nursery team 2/11/18 and reviewed annually.