



October 2021

## Data Protection — GDPR for Early Years Providers Policy

### Policy Statement

Lower Covey Ltd aims to fully fulfil its obligations under the General Data Protection Regulation (GDPR) 2017. 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.

We have appointed a Data Protection Co-ordinator who is responsible for ensuring our compliance with the GDPR.

Their contact details are:

- Shellie Prager
- 01935 488215
- info@lowercovey.co.uk

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

All staff and volunteers 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 15 working days of receipt of the written request.
3. Children's records will be stored securely. Paper files are kept securely within each room. Electronic files are stored on our Family app and are accessible through invitation only. 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 on our OneDrive.
4. Information that is shared is done securely using a secure email system or password protection of the document where necessary.

The following procedures apply to information held about staff.

1. A copy of their personal data is sent to each member of staff at the beginning of January each year. This applies to all data, whether held on computer or as hard copy.
2. Members of staff are required to read this information carefully and inform Shellie Prager at the earliest opportunity if they believe that anything is inaccurate or untrue, or if they are dissatisfied with the information in any way.
3. Requests for additional access must be sent to Julie Partridge. 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.

The person responsible for carrying out this policy is Shellie Prager.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Policy review date: \_\_\_\_\_