

Data Protection Policy

Statement of Intent

The Data Protection Act aims to promote high standards in the handling of personal information and so protect the individual's right to privacy. It is our intention at Blakeney Pre-school to follow the requirements of this act to the aforementioned end.

Aims

The Data Protection Act says that personal data should be accurate, up to date and kept for no longer than is necessary. Data must be kept securely. It is our aim to meet these requirements.

In order to fulfil these aims

Processing Data

We are registered with the Information Commission under the Data Protection Act

All staff and committee who process personal data are required to follow the data protection principles.

Processing, in relation to information or data, means obtaining, disclosing, recording, holding, using, erasing or destroying the information or data or carrying out any operation or set of operations on the information or data. The Data Protection Act applies to holding information on living individuals in electronic format or on paper.

The GDPR provides the following rights for individuals:

- The right to be informed.
- The right of access.
- The right to rectification.
- The right to erase.
- The right to restrict processing.
- The right to data portability.
- The right to object.
- Rights in relation to automated decision-making and profiling.

Lawful basis for processing personal data

We must have a lawful basis for processing all personal data within our organisation and this is recorded on our Information audit for all the different information we collect. The six reasons as follows:

- **(a) Consent:** the individual has given clear consent for you to process their personal data for a specific purpose.
- **(b) Contract:** the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
- **(c) Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations).
- **(d) Vital interests:** the processing is necessary to protect someone's life.
- **(e) Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
- **(f) Legitimate interests:** the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

For the majority of data we collect, the lawful basis for doing so falls under the category of 'legal obligation' such as names, date of birth and addresses as we have a legal requirement to obtain this data as part of the Statutory Framework for the Early Years Foundation Stage.

Some data we collect, for example, photographs, requires parents to give consent for us to do so. Where this is the case, parents will be required to sign a consent form to 'opt in' and are made aware that they have the right to withdraw their consent at any time.

We use children's names on items of work in Preschool, these names will be visible to anyone entering the setting. We feel this helps the children identify their work, helps them to recognise their name and gives them 'ownership' in the setting. We ask parents to inform us if they have a reason they do not wish their child's name to be displayed.

We may also be required to collect data as part of parent's contract with the setting or local authority, for example, for us to claim government funding.

The Better Business in "Childcare Data Protection Compliance Checklist" is held on file in the Pre-School Leader, along with the ICO guidance "Getting it Right - a brief guide to Data Protection for Small Businesses"

Information Security

- Sensitive paper information is stored at Blakeney Pre-school in a locked cupboard.
- Passwords should be shared on a need to know basis only, although at least two people must know how to access all information that is vital to the running of Blakeney Pre-school. Passwords should be regularly changed, and in the event of staff leaving, to ensure on-going protection and must not be easily guessable.
- Safe downloading procedures should be followed including the use of scanning for viruses and the use of Firewalls
- We encourage general security awareness within our organisation.

- Please also see Internet

Right of Subject Access

Individuals have a right under The Data Protection Act to request a copy of the information we hold about them on computer or in manual filing systems.

We must respond promptly and at most in 40 days after we receive the request although we are entitled to ask for any information we reasonably require to find the information and check the person's identity.

We can charge a fee of up to £10 for responding to a request.

There are some circumstances when we need not supply personal information and there are also circumstances when we need not give information about other people.

Support

Further information is at the following link:

http://www.ico.gov.uk/for_organisations/data_protection/subject_access_requests.aspx

For more advice see the ICO's **Good Practice Note Checklist for handling requests for personal information (subject access requests)** at

http://www.ico.gov.uk/for_organisations/data_protection/~/_media/documents/library/Data_Protection/Practical_application/checklist_for_handling_requests_for_personal_information.aspx

Supporting legislation

Freedom of Information Act 2000

Data Protection Act 1998