

# Muddy Boots Pre-School CIO

## Information and Records – 10.17 Privacy



Review Date:	SEE COMMITTEE POLICY REVIEW SCHEDULE
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## Information and Records

### Privacy

#### Policy statement

The General Data Protection Regulation (GDPR) states that personal data should be ‘processed fairly & lawfully’ and ‘collected for specified, explicit and legitimate purposes’ and that individual’s data is not processed without their knowledge and are only processed with their ‘explicit’ consent.

Muddy Boots Pre-school is committed to ensuring that any personal data we hold about you or your child is protected in accordance with data protection laws and is used in line with your expectations. This privacy notice explains what personal data we collect, why we collect it, how we use it and how we protect it.

#### 1) The right to be informed

Muddy Boots Pre-school is a registered Childcare provider with Ofsted and is required to collect and manage certain data. We record: parent’s names, addresses, telephone numbers, occupations, email addresses, dates of birth and National Insurance numbers. We record: children’s’ full names, addresses, dates of birth, birth/adoption certificate and passport numbers. For parents claiming the free entitlement funding we are requested to provide this data to West Northamptonshire County Council; this information is sent to the Local Authority via a secure electronic file transfer system.

We are required to collect certain details of visitors to our Pre-school. We need to record: visitor’s names, telephone numbers, addresses and where appropriate company name. This is in respect of our Health and Safety and Safeguarding Policies.

As an employer Muddy Boots Pre-school is required to hold data on its employees; names, addresses, email addresses, telephone numbers, date of birth, National Insurance numbers, photographic ID such as passport and driver’s license, bank details. This information is also required for Disclosure and Barring Service checks (DBS) and proof of eligibility to work in the UK. This information is sent via a secure file transfer system to Capita Security Watchdog for the processing of DBS checks.

#### 2) The right of access

Muddy Boots Pre-school is a charity registered in England & Wales. Registration No 1052702  
Registered address: Jubilee Drive, Walgrave, Northampton NN6 9PH.

At any point an individual can make a request relating to their data and Muddy Boots Pre-school will need to provide a response (within 1 month). Muddy Boots Pre-school can refuse a request, if we have a lawful obligation to retain data i.e. from Ofsted in relation to the EYFS, but we will inform the individual of the reasons for the rejection. The individual will have the right to complain to the Information Commissioner’s Office (ICO) if they are not happy with the decision.

#### 3) The Right to rectification

Individuals have the right to have any inaccurate or incomplete personal data rectified.

#### **4) The right to erasure**

Individuals have the right to request the deletion of your data where there is no compelling reason for its continued use. However, Muddy Boots Pre-school has a legal duty to keep children's and parent's details for a reasonable time. Muddy Boots will retain records in accordance with the PACEY "Record keeping" guidance found here;

[https://www.pacey.org.uk/Pacey/media/Website-files/PACEY%20member%20practice%20guides%20\(PDFs\)/PG27-Record-keeping.pdf](https://www.pacey.org.uk/Pacey/media/Website-files/PACEY%20member%20practice%20guides%20(PDFs)/PG27-Record-keeping.pdf)

Staff records must be kept for 6 years after the member of staff leaves employment, before they can be erased. This data is archived securely onsite and shredded after the legal retention period.

#### **5) The right to restrict processing**

Individuals can object to Muddy Boots Pre-school processing their data. This means that records can be stored but must not be used in any way, for example reports or for communications.

#### **6) The right to data portability**

Muddy Boots Pre-school requires data to be transferred from one IT system to another; such as from Muddy Boots Pre-school to the Local Authority, to shared settings and to Tapestry Online Learning Journal. These recipients use secure file transfer systems and have their own policies and procedures in place in relation to GDPR.

#### **7) The right to object:**

Individuals can object to their data being used for certain activities such as research.

#### **8) The right not to be subject to automated decision-making including profiling.**

Automated decisions and profiling are used for marketing organisations. Muddy Boots Pre-school does not use personal data for such purposes.

#### **Storage and use of personal information**

All paper copies of children's and staff records are kept in a locked office at Muddy Boots Pre-school. Members of staff have restricted access to these files, ensuring that the information taken from the files remains confidential and on site at all times. These records are shredded after the retention period.

Information about individual children is used in certain documents, such as, a daily register, medication forms, referrals to external agencies and disclosure forms. These documents include data such as children's names, date of birth and sometimes address. These records are shredded after the relevant retention period.

The names and addresses of those on our waiting list are shredded if the child does not attend or added to the child's file and stored appropriately.

Information regarding families' involvement with other agencies is stored both electronically on an external hard drive and in paper format. This information is kept in a locked filing cabinet at Muddy Boots Pre-school. These records are shredded after the relevant retention period.

Upon a child leaving Muddy Boots Pre-school and moving on to school or moving settings, data held on the child may be shared with the receiving school. Such information will be sent via the Tapestry secure file transfer system. For children attending a school who do not use Tapestry, the records will be passed to the parent/carer to be delivered to the receiving school.

Muddy Boots Pre-school holds the name, business address, email address and contact number of the people who supply the Pre-school with services and resources. This information is stored both electronically on external hard drives and in paper format, this information is kept in a locked filing cabinet at Muddy Boots Pre-school. These records are shredded after the relevant retention period (7 years).

Muddy Boots Pre-school stores personal data held visually in photographs unless written consent has been refused by the parent/ carer. No names are stored with images in digital photo albums, displays or on the website. Photos used for marketing/website/prospectus purposes are used only after gaining parents' written permission, which is stored on the child's personal file. These photos are destroyed after the relevant retention period.

Access to the settings laptops, tablets, storage devices and Tapestry online learning journal is by password only. When a member of staff leaves the Pre-school these passwords are changed in line with our Safeguarding policy.