

Written February 2022

## DATA PROTECTION POLICY

Humming Bees Day Nursery is registered with the ODPa (<https://www.odpa.gg/>)

GDPR states that personal data should be processed fairly and lawfully and collected for specified, explicit and legitimate purposes and that individual's data is not processed without their knowledge and is only processed with their explicit consent.

Humming Bees Day Nursery is committed to protecting the rights and freedom of individuals with respect to the processing of children's, parents, visitors, and staff's personal data.

### GDPR includes seven rights for individuals

- 1) The right to be informed – we need to know parent's names, addresses, telephone numbers, email addresses and emergency contacts and employment details. We need to know children's full names, addresses, date of birth and medical information. We are required to collect certain details of visitors and contractors including names, telephone numbers and, where appropriate, company name. This is in respect of our Health and Safety and Safeguarding policies. As an employer, Humming Bees Day Nursery is required to hold data on its employees: names, addresses, email addresses, telephone numbers, date of birth, social security number, photographic ID, bank details and qualification details. This information is also required for DBS checks.
- 2) The right of access – at any point, an individual can make a request relating to their data and Humming Bees Day Nursery will need to provide a response within a month. We can refuse a request, if we have a lawful obligation to retain data (i.e., From SEYT) but we will inform the individual of the reasons for the rejection
- 3) The right to erasure – you have the right to request the deletion of your data where there are no compelling reasons for its continued use. However, Humming Bees Day Nursery has a legal duty to keep children's and parent's details for a reasonable time. We retain these records for 3 years after leaving pre-school, children's accident, and injury records for 19 years (or until the child reaches age 21) and 22 years (or until a child reaches 24) for Child Protection records. Staff records must be kept for 6 years after the member leaves employment, before they can be erased. This data is archived securely.
- 4) The right to restrict processing – Parents, visitors and staff can object to Humming Bees Day Nursery processing their data. This means that records can be stored but not be used in any way, for example in reports or for communications.
- 5) The right to data portability – Humming Bees Day Nursery requires data to be transferred from one IT system to another such as from us to SEYT or an online learning journal system. These recipients use secure file transfer systems and have their own policies and procedures in place in relation to GDPR.
- 6) The right to object – Parents, visitors and staff can object to their data being used for certain activities like marketing or research
- 7) The right not to be subject to automated decision making, including profiling – automated decisions and profiling are used for marketing-based organisations. Humming Bees Day Nursery does not use personal data for such purposes.

### Storage and use of personal information

There will be no paper copies of children's or staff records kept – all data is retained electronically on a secure, encrypted cloud-based system accessed only by the senior management team.

Information about individual children is used in certain documents such as a weekly register, referrals to external agencies and disclosure forms. These documents include data such as children's names, date of birth, and sometimes addresses. These records are sent electronically, and any paper copies are destroyed.

Records of serious incidents will be held no longer than 21 years and 3 months.

Records of non-serious events will be held no longer than 7 years.

Humming Bees Day Nursery collects a large amount of personal data every year including names and addresses of those on the waiting list. These records are destroyed if the child does not attend or added to the child's file and stored appropriately.

Upon a child leaving the Nursery and moving to school or moving to another setting, data held on the child may be shared with the receiving institute. Parents will be informed before data is shared.

Humming Bees Day Nursery stores personal data held visually in photographs or video clips only when written consent has been obtained. For CCTV security – all users of Humming Bees Day Nursery, including staff, will have indicated permission during registration/staff contracts. No names are stored with the images or on the website.

The Nursery computer and software can only be accessed by the senior management. When such staff members leave employment, passwords are changed. Any portable data storage used to store personal data (e.g., USB sticks) are password protected

GDPR means that Humming Bees Day Nursery management must:

- Manage and process personal data properly
- Protect the individual's rights to privacy
- Provide an individual with access to all personal information held on them
- To response to parent's request to see information within 40 days and to record action take
- Report the setting to the ODPA