



## **Data Protection (GDPR) Policy**

Edenfield Nursery collects and uses personal information (referred to in the General Data Protection Regulation (GDPR) as personal data) about staff, pupils, parents and other individuals who come into contact with the nursery. This information is gathered in order to enable the provision of education and other associated functions. In addition, the nursery may be required by law to collect, use and share certain information.

The nursery is the Data Controller, of the personal data that it collects and receives for these purposes. The nursery has a Data Protection Officer, who may be contacted via the nursery office.

The nursery issues Privacy Notices (also known as a Fair Processing Notices) to all pupils/parents and staff. These summarise the personal information held about pupils and staff, the purpose for which it is held and who it may be shared with. It also provides information about an individual's rights in respect of their personal data.

## **Purpose**

This policy sets out how the nursery deals with personal information correctly and securely and in accordance with the GDPR, and other related legislation. This policy applies to all personal information however it is collected, used, recorded and stored by the nursery and whether it is held on paper or electronically.

## **What is Personal Information/ data?**

Personal information or data means any information relating to an identified or identifiable individual. An identifiable individual is one who can be identified, directly or indirectly by reference to details such as a name, an identification number, location data, an online identifier or by their physical, physiological, genetic, mental, economic, cultural or social identity. Personal data includes (but is not limited to) an individual's, name, address, date of birth, photograph, bank details and other information that identifies them.

## **Data Protection Principles**

The GDPR establishes six principles as well as a number of additional duties that must be adhered to at all times:

1. Personal data shall be processed lawfully, fairly and in a transparent manner
2. Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes (subject to exceptions for specific archiving purposes)
3. Personal data shall be adequate, relevant and limited to what is necessary to the purposes for which they are processed and not excessive;
4. Personal data shall be accurate and where necessary, kept up to date;
5. Personal data shall be kept in a form that permits the identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
6. Personal data shall be processed in a manner that ensures appropriate security

## **Duties**

Personal data shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection.

Data Controllers have a General Duty of accountability for personal data.

## **Commitment**

The nursery is committed to maintaining the principles and duties in the GDPR at all times. Therefore the

nursery will:

- Inform individuals of the identity and contact details of the data controller.
  - This is the nursery and usual contact details apply.
- Inform individuals of the contact details of the Data Protection Officer.
  - This is the nursery's admin officer. They are contactable through the nursery office.
- Inform individuals of the purposes that personal information is being collected and the basis for this.
- Inform individuals when their information is shared, and why and with whom unless the GDPR provides a reason not to do this.
- If the nursery plans to transfer personal data outside the EEA the nursery will inform individuals and provide them with details of where they can obtain details of the safeguards for that information.
- Inform individuals of their data subject rights (privacy notices).
- Inform individuals that the individual may withdraw consent (where relevant) and that if consent is withdrawn that the nursery will cease processing their data although that will not affect the legality of data processed up until that point.
  - All consent requests contain the right for parents to not give their consent on behalf of pupils and all requests will be duly considered, when received in writing to the manager.
- Provide details of the length of time an individual's data will be kept.
- Should the nursery decide to use an individual's personal data for a different reason to that for which it was originally collected the nursery shall inform the individual and where necessary seek consent.
  - All permissions are acquired when a pupil joins the nursery. Exceptions to this rule include the sharing of information with Children's Services and any organisation in the event that information must be shared to ensure the safeguarding of pupils.
- Check the accuracy of the information it holds and review it at regular intervals.
  - The nursery will review its policy every three years and review the information it holds in line with the retention schedule. Information collated on pupils is passed on to new nurseries/schools directly when a pupil leaves, this includes any information in relation to safeguarding.
- Ensure that only authorised personnel have access to the personal information whatever medium (paper or electronic) it is stored in.
- Ensure that clear and robust safeguards are in place to ensure personal information is kept securely and to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded.
  - The nursery maintains secure record keeping and items of sensitive data have additional security measures in place. The nursery maintains secure electronic systems and information taken offsite is transported securely. All staff that use sensitive information have the use of encrypted hard drives.
- Ensure that personal information is not retained longer than it is needed.
- Ensure that when information is destroyed that it is done so appropriately and securely.

- The nursery shreds sensitive information. It is also collected by secure disposal teams who dispose of sensitive data.
- Share personal information with others only when it is legally appropriate to do so.
- Comply with the duty to respond to requests for access to personal information (known as Subject Access Requests).
  - If the nursery has any uncertainty around a request made it will contact Lancashire County Council’s legal team for appropriate advice and guidance.
- Ensure that personal information is not transferred outside the EEA without the appropriate safeguards.
  - All staff are aware of the nursery’s information sharing protocols.
- Ensure that there are procedures that explain this policy clearly.
- Ensure that all staff/managers/registered persons/governors are aware of and understand these policies and procedures.
  - Staff and parents are given opportunity to discuss these policies and the privacy notices upon signing them.

**Complaints**

Complaints will be dealt with in accordance with the nursery’s complaints policy. Complaints relating to the handling of personal information may be referred to the Information Commissioner who can be contacted at [www.ico.gov.uk](http://www.ico.gov.uk)

<b>Reviewed data</b>	<b>Reviewed by</b>	<b>Date for next review</b>
<i>September 2023</i>	<i>Imran Ashraf Haleema Masood Noreen Ali</i>	<i>August 2025</i>