

Data protection and General Data Protection Regulation (GDPR)

At Little Learners Day Care, we recognise that we hold sensitive/confidential information about children and their families/carers, and the staff we employ.

Legal requirements:

- We follow the legal requirements set out in the statutory framework for the Early Years Foundation Stages (EYFS) and accompanying regulations about the information we must hold about registered children, families/carers and the staff within Little Learners day care.
- We follow the requirements of the GDPR, Data protection act 2018 and the Freedom of information act 2000 with regards to the storage of data and access to it.
- We are registered with the information commissioner's office (ICO) the UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals. Certificate is in the Elaine's Office.
- The records and documents that are required to be kept and stored by current legislation may be kept up to 30 years depending on the record and document this is to cover any child protection concerns or future cases that are investigated.

How we use your data and how we obtain the data:

- This information is used to meet the needs and requirements of the children and our team. The data is for registers, invoices, emergency contacts and when outside agencies such as the local authorities, social care team, Ofsted, department of education and if your child attends another setting, we will have to share information with them. In certain circumstances we may share your data with our insurance company DOT to DOT if we need to claim for an incident that may have occurred.
- Any information shared with staff team is done on a 'need to know' basis.
- When registering your child at Little Learners day care we require a parent/carer input in the registration process and contribute when filling in the data that is required.
- All data is treated confidential, and staff are not to disclose information about the setting to friends and family breaches of this will lead to disciplinary action and in serious cases lead to dismissal. All staff have copies of our policies and procedures.
- Parents and carers only have access to their own child's records and files, or the relevant professionals such as police or local authority children's social care team when required.
- Parent/carers permission will be obtained to pass on any data unless there is a safeguarding issue. We have a safeguarding policy which we follow.
- We record all accident and incident forms digitally via nursery in the box.

How we store your data:

- We store all our records in a locked cabinet in the office, and our computers which are password protected and we have a number protected key holding cabinet to protect keys to these files, or at our yellow storage unit which is always locked which is password protected to gain access and a number coded lock for our personal store unit.
- We also use external hard drives which data is stored on these are locked away in a file at the end of each day.

Data protection and General Data Protection Regulation (GDPR)

Data Systems we use:

- We also use two online systems which are password protected the cloud for all administration work we do within the setting, and Nursery in the box. Files that require password protection is in line with data protection principles.
- Nursery in the box is one of the systems we have in place you can go to their website <https://www.nurseryinabox.com/> and this will give you all the information regarding how nursery in the box encrypts your data safely.
- When using connect and nursery in the box parent/carers and staff use their own log in details to log into the system, we send the link to the person.
- We also have a website www.littlelearnersdaycare.co.uk all the information, data, and photos we share are with permission from our parents/carers and team.
- We have social media pages on Facebook and Instagram all information, data and photos are published with parents/carers/team permission.
- On our computers we use McFee and Norton for protection on security.

GDPR Compliance:

- At Little Learners day care we will ensure our terms and conditions; privacy and consent notices are easily accessed/made available in accurate and easy to understand language.
- We will use your data to ensure the safe, operational, and regulatory requirements of running Little Learners day care.
- We will not share or use your data for other purposes then the ones stated in this policy.
- Parents/carers and staff have the right to access their records or have their records amended or deleted (subject to other laws and regulations.)
- Little Learners day care will ensure staff have a due regard to the relevant data protection principles, which allow them to share and withhold personal information, as provided for in the data protection act 2018 and the GDPR.

This includes:

- 1) Being confident of the processing conditions which allow them to store and share information for safeguarding purposes, these may contain sensitive and personal data, and should be treated as 'special category personal data'.
- 2) Understanding that 'safeguarding of children and individuals at risk' is a processing condition that allows practitioners to share special category personal data. This includes allowing practitioners to share information without consent where there is good reason to do so, and that the sharing of information will enhance the safeguarding of a child in timely manner, but it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk.

The GDPR provides the following rights for individuals:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing

Data protection and General Data Protection Regulation (GDPR)

The GDPR provides the following rights for individuals:

6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling

Safe Disposal of Data:

- At little learners day care by law we have to keep some data after the child/team have left the setting when we have to dispose of such Data we use a professional company SHRED-IT that shreds all the data we are then given a certificate that it has been disposed of legally and safely using a shredder, we have sealed bags and the company collects the data from the setting or we have a lorry comes to us and shreds the data outside.
- Any data that is not required to be held will be given to the parent/carers or team member when they leave to dispose of themselves.

Suspected breach:

- Little learners day care will investigate any suspected breaches and take prompt action to correct any areas of concern, if we suspect that data has been accessed unlawfully, we will inform the relevant people/companies immediately and report it the Information Commissioners Office (ICO) within 72 hours and my insurance company dot 2 dot, any breach of data will be recorded.

Record Retention

At little learners we are required under legislation to keep certain records about children, parents, and employees, due to legislation we are required to keep this information for a set amount of time.

Records	Retention Period
Staff Records	
Personal Records	7 years
Individual wage slips	6 years
Time sheets	3 years
Accident reports	40 years
Staff attendance	21 years
DBS	6 months
General accident	3 years
Application forms	1 year
Redundancy	6 years
General accident	3 years
Children's Records	
Accident	21 years
Records of any reportable death, injury, disease, or dangerous occurrence (RIDDOR)	3 years
Medical	30 years
Parent Details	2 years

Data protection and General Data Protection Regulation (GDPR)

Childs Details	2 years
Outing permission child's details	2 years
Outing permission parents details	21 years
Permission for medication	21 years
Emergency treatment	21 years
Collection authority	21 years
Incident reports	21 years
Registers	21 years
Child protection	30 years
Child protection (Adult)	Retirement
Health and Safety	
H and S Assessments chartered institute of personal development	permanently
Risk assessments	3 years
Records of any reportable death, injury, disease or dangerous occurrence (staff)	3 years
Accident/medical as by the control of substances hazardous to health regulations (coshh)	40 years
Accounts	
Accounts (companies act 2006)	6 years
Administration	
Complaints record	3 years after the last record
Visitors/signing in	24 years
Minutes	Permanently
Insurance certificates	40 years

The policy Data protection and General Data Protection Regulation (GDPR) was updated on January 2025 by Vicky George, manager V.George

Next review due January 2026