

~Mad Hatter Wrap-Around-Care~

Data Protection Policy

We at Mad Hatters are committed to all aspects data protection of all personal and sensitive data, so we comply with requirements and policies of the Data Protection Act 1998 (GDPA 2018)

The legal bases for processing data are as follows-

- **Consent:** the member parent/carer/staff has given clear consent for the club to process their personal data for a specific purpose.
- **Contract:** the processing is necessary for the child/young persons placement contract, or the member of staff's employment contract.
- **Legal obligation:** the processing is necessary for the club to comply with the law (not including contractual obligations)

The members of staff responsible for data protection are mainly;

Sue Fisher (Manager) Linda Lawton/Susan Bard (Deputies)

However, all staff must treat all children/young people information in a confidential manner and follow the guidelines as set out in this policy.

The club is also committed to ensuring that its staff are aware of data protection policy, and legal requirements.

The requirements of this policy are mandatory for all staff employed by the club.

The principles of the Data Protection Act shall be applied to all data processed:

- Ensure that data is fairly and lawfully processed
- Process data only for limited purposes
- Ensure that all data processed is adequate, relevant and not excessive
- Ensure that data processed is accurate
- Not keep data for longer than is necessary
- Be processed in accordance with individuals' rights
- Ensure that data is secure.

Personal Data

The Data Protection Act 1998 applies only to information that constitutes 'personal data' if it:

- Identifies a person, whether by itself, or together with other information in the club's possession, or is likely to come into its possession; and
- Is about a living person and affects that person's privacy (whether in his/her personal or family life, business or professional capacity) in the sense that the information has the person as its focus or is otherwise biographical in nature.

All personal information held about employees, whether computerised or card copy files are covered by the act.

The use of personal information

The Data Protection Act 1998 applies to personal information that is 'processed'. This includes obtaining personal information, retaining and using it, allowing it to be accessed, disclosing it and finally, disposing of it.

Collection and processing of personal data and information.

Mad Hatters Club need to request personal information regarding the Children/young people at our Club. We are required to store information on the registration forms for the children/young people using this club. This information relates to the

Child/Young person's

- Name
- Age
- Specific Needs
- Dietary requirements
- Educational requirements
- Medical details
- GP's contact number
- Parent/Carers details
- Foundation Year Play/Learning journey.

Parent/Carer's

- Name
- Address
- Place of work
- Contact phone numbers (home, mobile, work)
- Another family member or an emergency contacts address and telephone numbers
- Invoicing information.

The personal data we collect is used to process your request for our services, to provide such services and to keep records of those who use our service, as required for us to comply with, and meet the safe guarding and welfare requirements.

In addition, the Club also request and stores, personal data, details on the application forms.

Staff and Volunteers

- Name
- Age
- Address
- Telephone numbers
- Emergency contact phone numbers
- NI insurance number
- Bank details for payment purposes.

Staff obligations regarding personal information

If an employee deals with or processes any personal information in the course of their work, they must ensure that:

- The information is accurate and up to date, insofar as it is practicable to do so
- The use of the information is necessary for a relevant purpose and that it is not kept longer than necessary
- The information is secure
- Seek advice if you are unsure what to do with any personal information.

Data will be kept as accurate and up to date as possible. In order to comply with this, the club will not store information longer than necessary for the purpose registered, in accordance with the data protection guidelines.

Data Access Requests

All parents/carers and other individuals who have data held by us have a legal right to request access to this data or information. We shall respond to such requests within one month and they should be made in writing to:

Sue Fisher (Manager) Linda Lawton/Susan Bard (Deputies)

Authorised disclosure of information

The Club will, in general, only disclose data about a child/young person with the parent/carers consent, or a staff member with their consent. However, there are circumstances under which the Club needs to disclose data without explicit consent for that occasion.

These circumstances are limited to:

- The club is required by law or in the best interest of the child/young person or staff to pass information onto external authorities. Local authorities, Ofsted, or the department of health. These authorities are up to date with data protection law and have their own policies relating to the protection of any data that they receive or collect
- Children/ young people's data disclosed to authorised recipients for the club to perform its statutory safeguarding duties and obligations
- Children/ young people's data disclosed to authored parties in relation to their Children/ young persons health, safety and welfare
- Annual data collected for % of user groups ,i.e. DEF for the 'Survey of Childcare and Early Years providers', (which may go on to website)
- Staff data disclosed to relevant authorities – i.e. for payroll and administrative duties. Only authorised staff are permitted to make external disclosures of personal data.

The Club will not disclose any information from children/young people's records that would be likely to cause serious harm to their physical or mental health or that of anyone else, including anything which may suggest that they are or have been either the subject of or are at risk of child abuse.

Data used within the Club will only be made available when the person/agency requesting the information are permitted to do so, and are working legitimately with the Club, and when the information requested is required for them to complete their work.

Data Security

The Club undertake to ensure the security of personal data.

1. Appropriate measures are taken to ensure that the building is secure, such as locks on cupboards and filing cabinets. Only authorised personal can access items such as computers and personal information on paper. Computers are password protected and necessary security measures are in place to the loss, misuse of or alteration of information provided
2. The building has an alarm that is switched on each evening and turned off when we enter before the session
3. The main room where locked filing cabinets are stored, have a door code mechanism, which is always activated when we are outside of club hours
4. The main gate and entrance to the After-School Club is locked and visitors are required to use the buzzer to gain entrance into the playground or building
5. Any queries and concerns regarding security of After-School Club data should in the first instance be placed in writing and referred to the Named persons
6. All staff members are required to undertake a Criminal Records Bureau Check to be able to work directly with the After-School Club
7. The club will ensure that all staff and volunteers are aware of data protection policies and legal requirements
8. A deliberate breach of the Data Protection policy will be treated as a disciplinary matter and serious breaches could lead to dismissal.

Breaches of personnel or sensitive data shall be notified within 72 hours, to the person concerned.

Data will be kept as accurate and up to date as possible. In order to comply with this, we will not store information longer than necessary for the purpose registered, in accordance with the data protection guidelines. Any data that exceeds the 'out of date' date, will be disposed of confidentially via a shredder.

Record retention periods for Early Years settings

Record	Retention period	Statutory Authority /Non-Statutory recommended
Children's records which would include; Registers, Medication records, Accident records,	All children's records must be kept while the child is in attendance at the setting and recommended for at least 3 yrs. after the child has left the provision.	EYFS Statutory requirement 2017. 3.71
Child Welfare records	Transferred to new setting/school with the child when they leave the setting. If unknown to setting, then retain for 6yrs. From date of last entry and then archive until the child reaches 25 yrs. old	Inquiries Act 2005 Section 21
Staff accident records	3 yrs. after last date of entry	Social Security Regulations 1979
Accounting records	6 yrs. this should include the current year of trading.	Statutory requirement; Section 221 Companies Act 1998
Income Tax and National Insurance records	At least 3 yrs. After the end of the tax year to which they relate	Statutory requirement the income Tax Regulations 1993
Salaries records	6 yrs.	Statutory requirement Tax Management Act 1970
Application forms (for unsuccessful candidates)	At least one yr.	Chartered Institute of Personnel
All Personnel files	6 yrs. after employment ceases	Chartered Institute of Personnel
Visitors signing in sheets	The current year + 6yrs	IRMS
Insurance liability documents	40 years from expiry date	Statutory requirement The Employers' liability (compulsory insurance) Regulations 1998