Retention Policy for GDPR

Written by – Annmarie Parfitt Date – 01.05.2018

The General Data Protection Regulation is a EU law from May 2018. It requires us to share information with you about data retention after your child has left our setting.

Data we retain about you and your child falls into 3 main categories

1. Safeguarding and welfare data linked to Ofsted and the Early Years Foundation Stage requirements and the Limitation Act.
2. Financial data retained for HMRC purposes.
3. Funding data retained for Local Authority purposes.

I store data about you and your child in paper format and online.

Data relating to the Safeguarding and Welfare requirements of the EYFS

To comply with the Limitation Act 1980, we keep Accident, Injury and First Aid Records and Medication Administration Records using the legal basis of ‘legal obligation’ until your child is 21 years and 3 months old and insurance requirements.

Attached to Accident, Injury and First Aid Records and Medication Administration Records we also retain Parent – Provider Contracts and Attendance Registers using the legal basis of ‘vital interests’ to provide additional evidence of compliance with the Early Years Foundation Stage.

We keep further data related to Safeguarding and Welfare requirements of the Early Years Foundation Stage and Childcare Register for a ‘reasonable period of time’ (see EYFS requirement 3.71). ICO advice is that this should be retained between Ofsted inspections or within the Ofsted inspection cycle, which might be between 3 and 8 years.

Information is kept in paper format and after the required retention period the documents will be shredded.

**Data relating to the Learning and Development requirements of the EYFS**

To comply with the EYFS, I keep documents relating to your child’s learning and development including photos of your child’s progress, activities and experiences.

I use the legal basis of ’legal obligation’ when recording your child’s learning, development and progress and ‘legitimate interest’ when taking photos of your child because I believe it is reasonable for me to process this data to provide you with a good quality service

I keep the information, including photos online / in paper format and will pass it on to you when your child leaves the setting or starts school, whichever comes first.

I use the online learning journey system Tapestry to process data about your child. I will ask you to read and sign my ‘Data Sharing Agreement’.

**Financial record keeping**

I keep documentation including your name and payment record for HMRC using the legal basis of ‘legal obligation’. I keep this information online / in paper format and are required to retain this information by HMRC for 6 years, after which time they are deleted.

**Data relating to Local Authority funding forms**

I keep documentation including your name, address, national insurance number and tracking data for Local Authority Funding forms using the legal basis of ‘contractual necessity’. This data is held in paper format and I am required to retain these forms by the Local Authority, after which time they are shredded.

**Personal data**

I have been advised by the Information Commissioners Office that it is reasonable to keep a record of your mobile phone number on my mobile phone and your email address on my computer email provider for up to 1 financial year after your child leaves the setting, so I can contact you if necessary to clarify, for example, accounts information or details relating to your Tax Credits claim (if relevant). The data will be deleted after this period.

If I close the setting or on my retirement, I will keep documentation for as long as legally required by the purpose for which it was collected. There is no absolute duty to encrypt data stored online but I will keep it as securely as possible during the retention period

You have the right to ask for information held about you and your child to be withdrawn. This is called the ‘right to erasure’ in GDPR. However, if I need to keep information because it is legally required then exceptions to the ‘right to erasure’ apply. I will make a decision about each erasure request individually – please speak to me for more information.

Please sign to say you have been shown and read all my information regarding GDPR and understand what information I hold, why and what I do with it.

(All information is found on my website-suunydaychildminding.co.uk on the policies and procedures page) If you cant access or want a copy printing please let me know.

**Signed – Review date –**