Issue 1

Review Date: June 2019

**Privacy statement**

The GDPR (General Data Protection Regulation) came into force in May 2018 and supersedes the Data Protection Act 1995. This is an EU directive regarding data protection and management, being managed by Information Commissioner’s office (ICO) The GDPR aims to primarily give increased control to the public over their personal data.

GDPR states that personal data should be ‘processed fairly and lawfully’ and ‘collected for specified, explicit and legitimate purposes’ personal data should not be processed without prior consent. Kaleidoscope Nursery is committed to protecting the rights and freedom of individuals with respect to the processing of personal data, We are registered with ICO and the data controller is Victoria Goode

Storage and use of personal data

As a child care provider we are subject to lawful obligations that require the collection, processing, sharing and storage of personal data. We hold a large amount of data to comply with the EYFS Statutory Framework, local authority, DFE and Ofsted requirements, and retain them for a period of time.

The data includes, child’s name, date of birth, address, parent/carer details, NI number, phone numbers, emails, accident records, medication records, SEND records, safeguarding records, observations, photos, DFE census etc.

These records are kept in a lockable cupboard in a lockable room, when the child leaves the records are shredded after the relevant retention period. Upon a child leaving Kaleidoscope Nursery and moving settings or onto school data held on the child will be shared with the new setting, this is done via a secure file transfer system or by being delivered and signed for by the receiving setting.

Kaleidoscope Nursery stores personal data held visually in photographs, video clips or sound recordings where written consent has previously been agreed upon the child’s registration. Photos can be used for display purposes as well as educational reasons. Photos, Videos and sound recordings along with observations are uploaded onto Tapestry (a software programme where children’s learning journals, assessments and reports are stored) No names are stored with images, in photo albums or displays.

Access to Tapestry and all computers are password protected. Any portable data storage used to store personal data i.e. USB memory stick, tablet are password protected and stored in a lockable room when not being used.

We have security cameras monitoring the front door, hallway and car park to help prevent any crimes taking place to the property.

GDPR means that Kaleidoscope Nursery must:

Manage and process personal data properly

Protect the individual’s right to privacy

Provide an individual with access to all personal data held on them

**Rights for individuals**

The right to be informed

Kaleidoscope is a registered childcare provider with Ofsted and is required to collect and manage certain data i.e. names, address’s telephone numbers, email, date of birth, birth cert number, NI number etc. For parents claiming free nursery education we are requested to send this data to our local council this information is sent via a secure electronic file transfer.

We are required to collect certain details of visitor’s i.e. name and company name, this is in respect of our Health and Safety and safeguarding policies.

The right of access

At any point an individual can make a request relating to their data, Kaleidoscope Nursery will provide a response within 1 month. Kaleidoscope can refuse a request, if we have a lawful obligation to retain data i.e. from Ofsted in relation to the EYFs, but we will inform the individual of the reasons for the rejection. You will have the right to complain to the ICO if you’re not happy with the decision.

The right to erasure

You have the right to request the deletion of your data where there is no compelling reason for its use. However Kaleidoscope has a legal duty to keep children’s records and parent’s details for a reasonable amount of time, these records are kept for 2 years after the child reaches school age. This data is archived securely and shredded after the legal retention period.

The right to restrict processing

Parents, visitors and staff can object to Kaleidoscope Nursery processing their data. This means that data can be stored but must not be used in any way.

The right to data portability

Kaleidoscope Nursery requires data to be transferred from one IT system to another i.e. the Local Authority. These recipients use secure file transfer systems and have their own policies and procedures in place in relation to GDPR

The right to object

Parents, visitors and staff can object to their data being used for activities like marketing or research

The right not to be subject to automated decision-making including profiling

Automated decisions and profiling are used for marketing based organisations. Kaleidoscope Nursery does not use personal data for such purposes