



General Data Protection Regulation – Privacy Policy

This policy was adopted at a meeting of:

Torphins Playgroup Pre-School

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On (date)

Signed Designation

Statement of Purpose

Torphins Playgroup Pre-School (Early Learning and Childcare (ELC)) is required to gather particular personal data and information in order to comply with legislation relating to early learning and childcare in Scotland.

Torphins Playgroup Pre-School (Early Learning and Childcare (ELC)) setting will gather and process all personal data and relevant consents; verbal or written, following GDPR guidance. Data will be treated confidentially and will uphold the rights of all individuals involved in the service, children, parents, staff, students and volunteers.

Torphins Playgroup Pre-School are required to hold information about the children and families using the service as well as staff working within the setting, ensuring compliance within the regulation. Processes will be in place to ensure the safe and secure storage of all data belonging to our service users; the detail of this storage is as follows:

All paper copies of children's and staff records are kept locked securely in the setting. Members of staff can have access to these files. Information taken from these files about individual children is confidential.

These records remain on site at all times. These records are shredded after the retention period.

Any data kept electronically is password protected.

[General Data Protection Regulation \(GDPR\)](#) came into effect on 25 May 2018 and expands on the current regime established by the Data Protection Act 1998 (DPA).

The term parents will be used to include all main caregivers.

Torphins Playgroup Pre-School's Privacy Policy

Who we are

Torphins Playgroup Pre-School gathers and processes your personal information in accordance with this privacy policy and in compliance with the relevant data protection Regulation and law. This notice provides you with the necessary information regarding your rights and obligations, and explains how, why and when we collect and process your personal data.

Our designated Data Protection Officer for the organisation is the Manager and can be contacted at enquiry@torphinsplaygroup.co.uk or by calling 013398 82978. They are responsible for ensuring systems are in place to process and handle all data appropriately, updating policies, undertaking an annual audit of

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data and monitoring staff regarding data handling and processing.

We are registered with the Information Commissioner's Office (ICO) and our registration number is Z8691399.

The personal data that we collect from you may include:-

- * Name (Child, parent/carer, persons authorised/not authorised to collect child, emergency contacts, siblings, grandparents, visitors)
- * Gender (Child)
- * Date of Birth (Child, siblings)
- * Birth Certificate Number (Child)
- * Home Address (Child and parent/carer)
- * Parental responsibility and any court orders (Child)
- * Proof of ID and Address (Parent/Carer)
- * National Insurance number or Unique Taxpayer Reference and details of benefits and family credits (if applying for funded childcare) (Parent/Carer)
- * Personal Email (Parent/carer)
- * Business Email – When applicable
- * Home and or Mobile Telephone Number (Child, parent/carer, persons authorised to collect child, emergency contacts))
- * Information and observations to support your child's learning
- * Time arrive at and leave setting, reason for being at setting, who they are with (Visitors)

We collect information in the following ways:-

- * On-line forms – When applicable
- * In person - When applicable
- * Over the phone - When applicable
- * By e-mail - When applicable

Information that we collect

Torphins Playgroup Pre-School processes your personal information to meet our legal, statutory and contractual obligations and to provide you with our services. We will never collect any unnecessary personal data from you and do not process your information in any way, other than already specified in this notice.

How we use your personal data

Torphins Playgroup Pre-School takes your privacy very seriously and will never disclose, share or sell your data without your consent, unless required to do so by law. We only retain your data for as long as is necessary and for the purposes specified in this notice. Where you have consented to us providing you with promotional offers or marketing, you are free to withdraw consent at any time.

The purposes and reasons for processing your personal data are detailed below:-

- * We collect your personal data to support a contract or a service requested by you.
- * For parents claiming funded childcare, we are requested to provide personal data to the Local Authority.
- * We collect and store your personal data as part of our legal obligation for business accounting and tax purposes. Information is given by parents/carers to the Treasurer for invoicing purposes.
- * Information is used in daylists, weekly register
- * To carry out regular assessment of child's progress and to identify any areas of concern
- * To manage any special educational health or medical needs of your child
- *To maintain contact about child's progress and respond to any queries
- *Upon a child leaving Torphins Playgroup Pre-School and moving on to another setting, data held on the child may be shared with the receiving setting.
- *Contact in case of an emergency
- * Information about parents/carers is used to complete Protection of Vulnerable Groups (PVG) application forms.
- *To update with information about our service

Your rights

You have the right to access any personal information that Torphins Playgroup Pre-School processes about

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you and to request information about: –

- * What personal data we hold about you
- * The purposes of the processing
- * The categories of personal data concerned
- * The recipients to whom the personal data has/will be disclosed
- * We intend to store your personal data for the duration of our contract/service with you and will operate within existing legal requirements
- * If applicable, where we gathered any supplementary information

If you believe that we hold any incomplete or inaccurate data about you, you have the right to ask us to correct and/or complete the information and we will endeavour to make the corrections as a matter of urgency. If there is a valid reason for not doing this, we will contact you and update you about this situation.

You also have the right to request the deletion of your personal data or to restrict processing in accordance with General Data Protection Regulation, as well as to object to any direct marketing from us and to be informed about any automated decision-making that we use. This relates to required communications in relation to the service we provide to you. We have a legal duty to keep to keep children's and parents details for a reasonable time. This data is archived securely on site and shredded after the legal retention period.

If we receive a request from you to exercise any of the above rights, we may ask you to verify your identity before acting on the relevant request; this is to ensure that your data is protected and kept secure.

Sharing and disclosing your personal information

We do not share or disclosure any of your personal information without your consent, other than for the purposes specified in this notice or where there is a legal requirement. The processors acting on our behalf only process your data in accordance with instructions from us and comply fully with this privacy notice, which we have agreement of. They have agreed to adhere to the data protection laws and work within the requirements of required confidentiality and security measures. Regulatory requirements from governing bodies supercede the requirements of the regulation; where request is made by a non-regulatory organisation, your consent will requested.

We are required to share information without consent if:

- There is evidence that a child is suffering or at risk of suffering significant harm
- There is reasonable cause to suspect that a child may be suffering or at risk of suffering significant harm
- It will prevent a crime being committed or provide information where a crime may have been committed
- Refusing to share the information will have a negative outcome

Consequences of not providing your data

You are not obligated to provide your personal information to Torphins Playgroup Pre-School where it does not relate directly to our service to you, however, if this information is required for us to provide you with our services it may have a direct impact upon the level of service we can provide you with.

How long we keep your data

Torphins Playgroup Pre-School only ever retains personal information for as long as is necessary, for the duration of our contract/service with you. Where you have consented to us using your details for direct marketing, we will keep such data until you notify us otherwise and/or withdraw your consent. Regulatory requirements from governing bodies supercede the requirements of the regulation.

See Retention Period for Documents guidance for specific retention obligations.

Marketing

Torphins Playgroup Pre-School would like to contact you with details of relevant services and information. If you consent to us using your contact details for these purposes, you have the right to modify or withdraw your consent at any time by contacting Torphins Playgroup Pre-School directly.

Controlling information about you

When you fill in a form or provide your details you will see one or more tick boxes allowing you to:

- * Opt-in to receive marketing communications from us by email, telephone, text message or post.
- * Opt-in to receive marketing communications from our third-party partners by email, telephone, text message or post.

If you have agreed that we can use your information for marketing purposes, you can change your mind

easily by contacting us below:

Contact us at enquiry@torphinsplaygroup.co.uk or call 013398 82978

We will never distribute or sell your personal information to third parties unless we have your permission or the law requires us to.

Any personal information we hold about you is stored and processed under our data protection policy, in line with the Data Protection Act 1998 and (from 28th May 2018 onwards) Regulation (EU) 2016/679 ("GDPR"), the Privacy and Electronic Communications (EC Directive) Regulations (all as amended, updated or re-enacted from time to time), any law based on or seeking to enact any such provisions in the United Kingdom to the GDPR; and any applicable guidance or codes of practice issued by Working Party 29, the European Data Protection Board or Information Commissioner from time to time (all as amended, updated or re-enacted from time to time).

Security

We will always hold your information securely.

To prevent unauthorised disclosure or access to your information, we have implemented strong physical and electronic security safeguards.

Links from our site

Our website may contain links to other websites.

Please note that we have no control of websites outside our domain (www.torphinsplaygroup.co.uk). If you provide information to a website to which we link, we are not responsible for its protection and privacy.

We would advise you to read any such site's data protection and privacy policies fully to ensure your own security.

Lodging a complaint

Torphins Playgroup Pre-School only processes your personal information in compliance with this privacy notice and in accordance with the relevant data protection laws. If, however you wish to raise a complaint regarding the processing of your personal data or are unsatisfied with how we have handled your information, you have the right to lodge a complaint with the supervisory authority.

Information Commissioner's Office

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The Information Commissioner's Office – Scotland
45 Melville Street
Edinburgh
EH3 7HL

Telephone: 0303 123 1115

Email: Scotland@ico.org.uk

The Information Commissioner's Office (ICO) provides a comprehensive guide to working within GDPR
<https://ico.org.uk/>

Additional information to support confidentiality

Records and Storage of Records

To ensure the smooth running of the setting we keep a variety of records including health and safety records, financial records, employment records of staff, students and volunteers and development plans.

We also keep records of the children including:

- Personal Records
- Developmental Records

Personal Records will record information including registration and consent forms, contact information, correspondence from other agencies regarding the child and or family, health and medical issues, development needs, additional support needs and any other, relevant, confidential information. These records will be stored securely in a lockable cabinet. Parents will have access only to their own child's file.

Developmental Records may include samples of the children's work, photographs, observations of the child's progress in the setting and any other relevant information pertaining to the child's progress. These records are usually kept within the playroom or on Learning Journals and can be accessed and contributed to by children, staff and parents. Parents will only have access to their own child's records.

No names are stored with images on the Torphins Playgroup Pre-School website or social media sites.

Consent is obtained to post images of staff and children.

All information regarding children and /or their families will be accurate and up to date and shared only with the appropriate personnel. Each child's personal records concerning information relating to medical matters, child protection matters, additional support needs will be retained for a ten year period and safely

disposed of by shredding, pulping or burning. In collecting, holding and processing personal data the setting complies with current Data Protection rules and guidance.

Staff Records

As an employer, Torphins Playgroup Pre-School is required to hold data on its employees; names, addresses, email addresses, telephone numbers, date of birth, National Insurance numbers and bank details. This information is also required for Protection of Vulnerable Groups checks (PVG).

All issues regarding the employment and management of staff are confidential to the people directly involved i.e. the staff member and those involved in making the decisions. Staff will have their own personal record containing relevant information and they will have access only to their own personal record. Records will be kept securely by the person specified by the employer as having access to the personnel files. In committee managed settings these names will need to be reviewed regularly, at least annually, and any changes recorded as appropriate. Records will be disposed of by burning, shredding or pulping and will be kept no longer than necessary. This may be changed on advice from your local authority. Records should be regularly reviewed and information no longer required should be deleted.

Any personal information regarding a member of staff will not be passed to another person without their prior knowledge and consent. Information regarding an individual's performance will be confidential as will any disciplinary or grievance matters in which they are directly involved.

Data breaches: You should make sure that you have the right procedures in place to detect, report and investigate a personal data breach. Any breach of the procedures will be investigated and will result in disciplinary action being taken if involving a staff member. In a committee managed service any breach of the procedures will result in a complaint being raised against them. Any data breach must be reported to the ICO within 24 hours.

Monitoring of this Policy

It will be the responsibility of the Manager to ensure that all staff, including new or temporary staff, are familiar with this policy and to monitor that it is being implemented. Parents should be made aware of this policy through the parents' handbook and the enrolment procedure.

The policy will be reviewed annually to ensure all records are relevant and up to date.

See also:

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Additional Support Needs Policy
Administration of Medication Policy
Child Protection Policy
Complaints Policy
Use of ICT Policy
Safe Recruitment Policy
Staff Development
Whistleblowing Policy
Anti-bullying and Harassment Policy
Retention of Documents

Links to national landscape:

Your practice and policy must adhere to the the Health and Social Care Standards -
<http://www.gov.scot/Resource/0052/00520693.pdf>

Find out more:

For information regarding Data Protection contact:
Information Commissioner's Office Scotland
45 Melville Street
Edinburgh EH3 7HL
Email:Scotland@ico.org.uk
Telephone 0131 244 9001

Data Protection Act (1998)
<https://www.gov.uk/data-protection>