

The Hollies Childcare Facility

Data Protection Policy

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Revision History

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Acronyms & Abbreviations

Acronym/Abbreviation	Definition
GDPR	General Data Protection Regulation
CIW	Care Inspectorate Wales

Glossary

Term	Definition
The Hollies	Refers to The Hollies Childcare Facility

Table of Contents

Overview	Page 3
Data Protection Principles	Page 3
Our Commitment to Data Protection	Page 3
Information Held by The Hollies	Page 4
Retention Period	Page 4
Security Measures	Page 5

Overview

The Hollies Childcare Facility is committed to protecting personal data and this policy details how we implement that commitment with regard to the collection and use of personal data.

Committee Member, Mrs S Hearne (Headteacher of Gwauncelyn Primary School), holds responsibility for data protection in The Hollies.

Data Protection Principles

Schedule 1 to the Data Protection Act lists the data protection principles in the following terms:

1. Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless –
 - (a) at least one of the conditions in Schedule 2 is met, and;
 - (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.
2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
6. Personal data shall be processed in accordance with the rights of data subjects under this Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

<https://ico.org.uk/for-organisations/guide-to-data-protection/>

(Accessed 09.05.18)

To meet our commitment to data protection, The Hollies will:

- Notify the Information Commissioner's Office that we hold personal data, unless exempt.
- <https://ico.org.uk/registration/new> (Accessed 27.10.16)
- Meet our legal obligations as laid down by the Data Protection Act 1998 (Updated 2018 - Related legislation: GDPR).
- Ensure that data is collected and used fairly and lawfully.
- Process personal data only in order to meet our operational needs or fulfil legal requirements.
- Take steps to ensure that personal data is up to date and accurate by requesting parents/carers to update the child details form when there are any changes.
- Establish appropriate retention periods for personal data.
- Provide adequate security measures to protect personal data.

- Nominate a designated person responsible for data protection compliance and is the point of contact for all data protection issues.
- Provide adequate training for all staff responsible for personal data.
- Operate a confidentiality policy.
- Ensure that everyone handling personal data knows where to find further guidance.

Information held by The Hollies includes:

- Children's personal details.
- Parents/carers personal details.
- Staff personal details, such as administration of salaries, and statutory returns, sickness and absence records, qualifications/training records, written references, DBS disclosure references, employment contracts, **appraisal or performance review notes** and any correspondence.
- Daily records of attendance of staff and children.
- Compliments and complaints
- Records of accidents, serious illnesses and other significant events.
- Records of people who visit The Hollies.
- Records of any medicine administered.
- Payment records such as invoices, accounts, receipts, pay slips.
- Minutes of meetings held (staff and committee); insurance details, constitution/articles of memorandum.
- The Hollies is legally obliged to share certain information with Social Services and the Police, if necessary. The Hollies must provide CIW with personal and other information in accordance with The Child Minding and Day Care (Wales) Regulations 2010 (Regulation 31 and Schedule 4) and the National Minimum Standards for Regulated Childcare (Standard 21: 'Notification of significant events' and in order to comply with other regulation such as health and safety law. Upon legitimate request, information held on staff may also be shared with organisations such as the HMRC, local authorities and the Department of Work & Pensions.

Retention periods:

- Records kept about children who attend The Hollies are kept completely confidential and will be kept on record for 3 years after the last date on which the child attends The Hollies.
- Parents/carers are able to view the records kept on their children on request, except where a child's welfare is deemed to be at risk in line with our confidentiality policy.
- Records are also kept on each member of staff working or volunteering at the setting. These are kept confidential and will be kept on record for a minimum of 3 years after the last day of employment.
- Employees are entitled to access the information held about them at reasonable intervals. Applications should be made in writing to Mrs S Hearne.
- Minutes, accounts, invoices, receipts, assets list, accident and incident book etc. are kept safely for 7 years.
- All records that are subject to other factors/organisations such as grant terms and conditions, CIW, Health and Safety Executive, insurers, safeguarding agencies may also define how long certain records are kept.
- The Employer's Liability insurance certificate must be retained for 40 years.

Security measures

The Hollies protects personal data from unauthorised and unlawful use by:

- Storing data in a lockable cupboard/storage with restricted access.
- Ensuring all staff, management, volunteers/students sign that they have read, accepted and implemented the confidentiality policy. Any breach of confidentiality is investigated immediately and the issue dealt with in accordance with the disciplinary procedure.
- Minimising data sharing on a need to know basis.
- Restricting access to electronic records held on the computer by implementing technical security such as a password system.
- Ensuring safe storage of any laptop/computer used for storing data.
- Destroying obsolete paper records securely by shredding or using a confidential waste service which provides certificates of destruction.
- Securely and permanently erasing electronic records.
- Ensuring there is no data remaining before disposing of or recycling any computers.
- Securely and permanently erasing data stored on other media such as memory sticks, CD-ROM, audio tape, video tape, etc.
- All memory sticks in use must be encrypted.