

Our Lady's Catholic Primary School



**We aspire that through the love of Jesus everyone should
"have life and have it to the full."
Jn. 10v10**

DATA PROTECTION POLICY

Approved by: School Governors	Date: October 2023
Last reviewed on:	Date: October 2025
Next review date:	Sept 2026

Data protection Policy

NRSRY_25_01

The nursery is committed to managing personal information carefully and lawfully in accordance with the General Data Protection Regulation (GDPR) and other related legislation.

1. Data Protection Principles – Data must be:

- 1.1. Processed lawfully, fairly and in a transparent manner
- 1.2. Collected for specify, explicit or legitimate purposes
- 1.3. Adequate, relevant and limited to what is necessary to fulfil the purposes for which it is being processed
- 1.4. Accurate and up to date
- 1.5. Kept for no longer than is necessary
- 1.6. Processed in a way that ensures it remains secure

2. Data Retention

- 2.1. Data is retained for set time periods as dictated by the EYFS and our legal obligations.
This include:
- 2.2. Staff records - between six months and 40 years
- 2.3. Children's records – between two years and 30 years
- 2.4. Health and Safety Assessments – held permanently
- 2.5. Accounting Records – a minimum of 3 years.

3. Fair and Lawful Procesing

- 3.1. The nursery only collects information where there is at least one of the six lawful reasons for doing so, under Data Protection Law.
- 3.2. These six reasons include the data subject's consent to processing, the necessity to

create and complete a contract with the Nursery, to comply with legal obligations, in the vital interests of the individual, to enable the nursery to carry out its official duties, or when the data is processed for the legitimate interests of the nursery or a third part (e.g. Nursery Education Funding).

4. Limited Processing

- 4.1. The nursery only collects information for legitimate reasons, explained to individuals when we gain their written permission.
- 4.2. Should data be used for purposes other than previously disclosed, we will inform the individual and seek consent where necessary.
- 4.3. When the nursery no longer needs the personal data, this will be destroyed in accordance with point 2 of this policy.
- 4.4. The nursery will ensure that the data held is accurate and up to date, this will be checked at point of collected and again at regular intervals.
- 4.5. All steps will be taken to ensure inaccurate information is erased or rectified without delay.

5. Rights of Individuals and Access Requests

- 5.1. Individuals have the right to gain access to personal data held by the nursery, which includes:
 - Request to access data held about them
 - Rectification of inaccurate information
 - Erasure of personal data
 - Restricting the processes using personal data
 - Objecting to the processing of personal data
- 5.2. Data access request must be submitted in writing, either by letter or email to the Nursery Manager/Data Protection Officer.
- 5.3. Should a request be made via telephone, the nursery may request that the caller puts their request into writing.
- 5.4. No member of staff should feel pressurised into disclosing personal information.

- 5.5. On receipt of the request, the Nursery Manager/Data Protection Officer will send written acknowledgements to the receipt.
- 5.6. Access requests will be responded to within one month of the request.

6. Data Security

- 6.1. The nursery takes appropriate measures to protect against unauthorised processing of data, and the accidental loss or destruction of data.
- 6.2. The nursery ensures that any third parties with whom it shares information, comply fully with GDPR. The nursery shares information with a number of third parties including: Parent Pay, Tapestry Learning Journals and Nursery Educations Funding other professionals from the Local Authority. The Local Authority (Herefordshire Council) share information securely via Anycomms Plus.
- 6.3. Data security protects the confidentiality and integrity of all data held by the nursery.
- 6.4. Security procedures include:
 - All portable devices are secured with a pin code pass lock. They are regularly reviewed and checked. Portable devices are not to be removed from the setting by any member of staff. Devices can be tracked to individual locations should they be removed from the setting.
 - Laptops and Computers are password protected. All users are reminded that they must log out of the system when not present at work station.
 - Secure, lockable filing cabinets are in place to store confidential data.
 - Shredders are located in the school office to ensure secure disposal of paper data.

7. Sharing Personal Data

- 7.1. The nursery may share data held about children and staff in accordance with both GDPR and other relevant Early Years guidance and legislation.
- 7.2. Examples of who the nursery may share information with includes: other settings attended by children, the Local Authority, The Department of Education or Health Care Professionals from the local trust.
- 7.3. Where the nursery does disclose or share personal information, parents/carers will be informed in accordance with this policy.

8. Data Breaches

- 8.1. All data breaches should immediately reported to the nursery manager/DPO and shall be handled accordingly.

9. Photographs and Videos

- 9.1. The nursery has a separate photograph and video agreement, which parents are welcome to review at any stage.

10. The Data Protection Officer

- 10.1. The Nursery Manager will act as Data Protection Officer and has received relevant training in accordance with this.
- 10.2. The DPO's responsibilities are to inform and advise the nursery and all of its employees about their obligations to comply with GDPR, monitor compliance with GDPR, including managing internal data protection activities and train staff and conduct internal audits and also to be the first point of contact for supervisory authorities and for the individuals whose data is processed.

11. Staff Responsibilities

- 11.1. All staff are data users and are responsible for:
- Collecting, storing and processing personal data – in accordance with this policy
 - Informing the Manager in charge of any changes in personal data
 - Contacting the Nursery Manager/DPO under the following circumstances: if they have concerns that this policy is not being followed, if they need help or advise about sharing, retaining or collecting personal data.

11.2 All data users are expected to comply with this policy, and breach will be dealt with through the correct disciplinary procedures.