



Cheshire Childcare Alliance Ltd

CHESHIRE'S LEADING PROFESSIONAL CHILDCARE COMPANY
www.cheshireca.com darren@cheshireca.com natalie@cheshireca.com

DATA PROTECTION POLICY

Cheshire Childcare Alliance Ltd (CCA), is committed to data protection and data privacy. With the General Data Protection Regulation (GDPR) becoming enforceable on the 25th May 2018, we have undertaken a GDPR readiness programme to review our entire company, the way we handle data and the way in which we use it to provide our services.

Our GDPR readiness programme covers the following areas:

- **Staff training and awareness** – how GDPR, the Data Protection Bill and the ePrivacy Regulation will impact clients, employees and the supply chain
- **Supplier management** – ensuring all appropriate security, organisational controls and governance processes meet the demands of our clients and of Cheshire Childcare Alliance (CCA) as it continues to grow
- **Development** – ensuring we maintain our commitment to best practice and developing systems which meet recognised security standards and making sure we meet our commitment to privacy by design
- **Individuals rights** – refining our approach to handling requests for data, or the handling of data, to meet the new demands of GDPR (including the right of subject access, cease processing requests and erasure of personal data)
- **Data mapping** – a full review of all processes and systems to truly understand the customer experience, the data we hold and the way in which it is used
- **Data retention** – confirming data retention periods meet contractual, legal and organisations requirements.
- **Privacy notices** – reviewing all notices to inform clients and employees of the way we handle their data
- **HR support** – preparing our HR services to incorporate important aspects of GDPR for our clients

The CCA group has a designated Group Data Protection Officer who oversees our information governance practices and coordinates the Group's efforts to ensure we continue to manage personal data in the way our clients expect.

Here at CCA we are fully committed to the principles of data protection and to safeguarding our data and that of our families, clients and the children in our care.

CCA - GDPR POLICY:

The General Data Protection Regulation (GDPR) is a new EU law coming into effect on 25th May 2018 replacing the current Data Protection Act 1998. It will give individuals greater control over their own personal data.

As a childcare provider it is necessary for us to collect personal information about the children who attend as well as staff and parents/carers.

CCA is registered with the Information Commissions Office, ICO, under registration reference: ZA518941 and has been registered since: 23rd September 2019 the certificate can be viewed on the parent's display.



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GDPR Principle

GDPR condenses the Data Protection Principles into 8 areas, which are referred to as the Privacy Principles. They are:

- a) You must have a lawful reason for collecting personal data and must do it in a fair and transparent way.
- b) You must only use the data for the reason it is initially obtained.
- c) You must not collect any more data than is necessary.
- d) It must be accurate and there must be mechanisms in place to keep it up to date.
- e) You cannot keep it any longer than needed.
- f) You must protect the personal data.
- g) You must have appropriate measures against unauthorised or unlawful processing or personal data and against accidental loss or destruction/damage to personal Data.
- h) Personal Data shall not be transferred to any outside agency or country within the EU that does not comply with the new General data protection regulations.

The GDPR provides the following rights for individuals:

- The right to be informed.
- The right of access.
- The right to rectification.
- The right to erase.
- The right to restrict processing.
- The right to data portability.
- The right to object.
- Rights in relation to automated decision-making and profiling.

There are two main roles under the GDPR: the data controller and the data processor. As a childcare provider, we are the data controller. The data is our data that we have collected about the children and their families. We have contracts with other companies to process data, which makes them the data processor. The two roles have some differences but the principles of GDPR apply to both. We have a responsibility to ensure that other companies we work with are also GDPR compliant.

Lawful basis for processing personal data

We must have a lawful basis for processing all personal data within our organisation and this is recorded on our Information audit for all the different information we collect. The six reasons as follows:

- a) **Consent:** the individual has given clear consent for you to process their personal data for a specific purpose.



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(b) Contract: the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.

(c) Legal obligation: the processing is necessary for you to comply with the law (not including contractual obligations).

(d) Vital interests: the processing is necessary to protect someone's life.

(e) Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

(f) Legitimate interests: the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

For the majority of data we collect, the lawful basis for doing so falls under the category of 'legal obligation' such as names, date of birth and addresses as we have a legal requirement to obtain this data as part of the Statutory Framework for the Early Years Foundation Stage.

Some data we collect, for example, photographs, requires parents to give consent for us to do so. Where this is the case, parents will be required to sign a consent form to 'opt in' and are made aware that they have the right to withdraw their consent at any time.

We may also be required to collect data as part of parent's contract with the setting or local authority, for example, for us to claim government funding.

Data retention

We will hold information about individuals only for as long as the law says and no longer than necessary. After this, we will dispose of it securely. Please see a copy of the Retention periods for records.

Security

We keep data about all individuals secure and aim to protect data against unauthorised change, damage, loss or theft. All data collected is only accessed by authorised individuals. All paper forms are kept locked away and all computers and tablets are password protected.

Privacy notices

All parents and staff are provided with privacy notices which inform them of our procedures around how and why we collect data, information sharing, security, data retention, access to their records and our commitment to compliance with the GDPR act 2018.

Ensuring compliance

The member of staff responsible for ensuring that the setting is compliant is our GDPR lead, Natalie Reynolds Director. The leads main duties are:

- Ensure that the provision is compliant with GDPR.
- Audit all personal data held.
- Ensure all staff are aware of their responsibilities under the law, this may include delivering staff training.
- Undertake investigations when there is a breach of personal data and report to the Information Commissions Office, ICO.



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- Keep up to date with the legislation.

Legal framework

- The General Data Protection Regulation (2018)
- Human Rights Act 1998

Records	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Staff Records (Chartered Institute of Personnel and Development)												
All personal records							7 Years	7 Years	7 Years			7 Years
Individual wage slips (Taxes Management Act 1970)										6 Years	6 Years	6 Years
Time sheets									3 Years	3 Years	3 Years	
Accident reports (COSHH)					40 Years	40 Years	40 Years			40 Years	40 Years	40 Years
Staff attendance records										21 Years		21 Years
DBS Checks (DBS Code of Practice)									6 Months	6 Months		
Children's records (Childcare Act 2006)												
Accident reports	21 years 3 months	21 years 3 months	21 years 3 months		21 years 3 months				21 years 3 months	21 years 3 months		21 years 3 months
Records of any reportable death, injury, disease or dangerous occurrence (RIDDOR)	3 Years	3 Years		3 Years	3 Years	3 Years			3 Years	3 Years		3 Years
Medical records	30 years	30 years		30 years	30 years				30 years	30 years		30 years
Parent contact details	2 years	2 years		2 years	2 years	2 years	2 years					
Details about child	2 years	2 years	2 years	2 years		2 years	2 years					
Outing permission	2 years	2 years			21 years 3 months					21 years 3 months		
Permission to administer medicine	21 years 3 months	21 years 3 months			21 years 3 months					21 years 3 months		
Emergency treatment permission - 21 years 3 months	21 years 3 months	21 years 3 months			21 years 3 months					21 years 3 months		
Collection authority	21 years	21 years			21 years					21 years		
Incident reports	21 years	21 years	21 years		21 years				21 years	21 years	21 years	21 years
Registers	21 years	21 years			21 years				21 years	21 years	21 years	21 years
HR Assessments (Chartered Institute of Personnel and Development)												
HR Assessments	Permanently											
Accounting records (Companies Act 2006)												
Accounting records	3/6 years private/charity companies											

Policy Updated & Written By Darren Reynolds – March 2022

IN PRACTICE FOR OUR FAMILIES:

Our GDPR lead is Natalie Reynolds (Director), our lead person ensures that all our childcare settings meet the requirements of the GDPR guidance, liaises with statutory bodies when necessary, and responds to any subject access requests.

Confidentiality

Within the setting we respect confidentiality in the following ways:

- We will only ever share information with a parent about their own child.
- Information given by parents to setting staff about their child will not be passed on to third parties without permission unless there is a safeguarding issue (as covered in our **Safeguarding Policy**).
- Concerns or evidence relating to a child's safety, will be kept in a confidential file and will not be shared within the setting, except with the designated Child Protection Officer and the manager.
- Staff only discuss individual children for purposes of planning and group management.
- Staff are made aware of the importance of confidentiality during their induction process.
- Issues relating to the employment of staff, whether paid or voluntary, will remain confidential to those making personnel decisions.
- All personal data is stored securely in a lockable file / on a password protected computer / passcode-locked phone.



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- Students on work placements and volunteers are informed of our Data Protection policy and are required to respect it.

Information that we keep

The items of personal data that we keep about individuals are documented on our personal data matrix. The personal data matrix is reviewed annually to ensure that any new data types are included.

Children and parents: We hold only the information necessary to provide a childcare service for each child. This includes child registration information, medical information, parent contact information, attendance records, incident and accident records and so forth. Once a child leaves our care we retain only the data required by statutory legislation and industry best practice, and for the prescribed periods of time. Electronic data that is no longer required is deleted and paper records are disposed of securely.

Staff: We keep information about employees in order to meet HMRC requirements, and to comply with all other areas of employment legislation. We retain the information after a member of staff has left our employment for the recommended period of time, then it is deleted or destroyed as necessary.

Sharing information with third parties

We will only share child information with outside agencies on a need-to-know basis and with consent from parents, except in cases relating to safeguarding children, criminal activity, or if required by legally authorised bodies (eg Police, HMRC, etc). If we decide to share information without parental consent, we will record this in the child's file, clearly stating our reasons.

We will only share relevant information that is accurate and up to date. Our primary commitment is to the safety and well-being of the children in our care.

Some limited personal information is disclosed to authorised third parties we have engaged to process it, as part of the normal running of our business, for example in order to manage our payroll and accounts. Any such third parties comply with the strict data protection regulations of the GDPR.

Subject access requests

- Parents/carers can ask to see the information and records relating to their child, and/or any information that we keep about themselves.
- Staff and volunteers can ask to see any information that we keep about them.
- We will make the requested information available as soon as practicable, and will respond to the request within one month at the latest.
- If our information is found to be incorrect or out of date, we will update it promptly.
- If any individual about whom we hold data has a complaint about how we have kept their information secure, or how we have responded to a subject access request, they may complain to the Information Commissioner's Office (ICO).

GDPR

We comply with the requirements of the General Data Protection Regulation (GDPR), regarding obtaining, storing and using personal data.

This policy was adopted by: Holiday Zone Ltd	Date: 1/05/2021
To be reviewed: 1/5/2022	Signed: N J Reynolds

Written in accordance with the *Statutory Framework for the Early Years Foundation Stage (2017): Safeguarding and Welfare Requirements: Information and records [3.68 - 3.71]*.