Fun Box Day Nursery Ltd
www.funboxdaynursery.co.uk
Totton Christian Centre
9 Ringwood Road
Totton
SO40 8DA
Tel: 02380 861166

Data Protection and Confidentiality

EYFS: 3.69, 3.70

At **Fun Box Day Nursery** we recognise that we hold sensitive/confidential information about children and their families and the staff we employ. This information is used to meet children's needs, for registers, invoices and emergency contacts. We store all records in a locked cabinet or on the office computer with files that are password protected in line with data protection principles. Any information shared with the staff team is done on a 'need to know' basis and treated in confidence. This policy will work alongside the Privacy Notice to ensure compliance under General Data Protection Regulation (Regulation (EU) 2016/679 (GDPR).

Legal requirements

- We follow the legal requirements set out in the Statutory Framework for the Early Years Foundation Stage (EYFS) 2017 and accompanying regulations about the information we must hold about registered children and their families and the staff working at the nursery
- We follow the requirements of the General Data Protection Regulation (Regulation (EU) 2016/679 (GDPR)and the Freedom of Information Act 2000 with regard to the storage of data and access to it.

Procedures

It is our intention to respect the privacy of children and their families and we do so by:

- Storing confidential records in a locked filing cabinet or on the office computer with files that are password protected
- Ensuring staff, student and volunteer inductions include an awareness of the importance of the need to protect the privacy of the children in their care as well as the legal requirements that exist to ensure that information relating to the child is handled in a way that ensures confidentiality. This includes ensuring that information about the child and family is not shared outside of the nursery other than with relevant professionals who need to know that information. It is not shared with friends and family, or part of any social discussions outside of the setting. If staff breach any confidentiality provisions, this may result in disciplinary action and, in serious cases, dismissal. Students on placement in the nursery are advised of our confidentiality policy and required to respect it
- Ensuring that all staff, volunteers and students are aware that this information is confidential and only for use within the nursery and to support the child's best interests with parental permission

- Ensuring that parents have access to files and records of their own children but not to those of any other child, other than where relevant professionals such as the police or local authority children's social care team decide this is not in the child's best interest
- Ensuring all staff are aware that this information is confidential and only for use within the nursery setting. If any of this information is requested for whatever reason, the parent's permission will always be sought other than in the circumstances above
- Ensuring staff do not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs
- Ensuring staff, students and volunteers are aware of and follow our social networking policy in relation to confidentiality
- Ensuring issues concerning the employment of staff remain confidential to the people directly involved with making personnel decisions
- Ensuring any concerns/evidence relating to a child's personal safety are kept in a secure, confidential file and are shared with as few people as possible on a 'need-to-know' basis. If, however, a child is considered at risk, our safeguarding/child protection policy will override confidentiality.

All the undertakings above are subject to the paramount commitment of the nursery, which is to the safety and well-being of the child.

Data retention
We retain our customers' and employee's data based on the attached Retention Timeline. The paper format documents are stored in a locked shed in sealed boxes at the nursery premises. The electronic formats are stored on password protected external hard drives off site (at owners' home address). All data that are no longer retainable is either shredded by our industrial shredder or deleted from all electronic devices.

Security incident procedure
In the event on a security incident (data breach) and immediate investigation will be carried out in order to: 1. Stop the breach and 2. Prevent it from happening it again. The event will be reported to all parties involved and to the ICO within 72 hours.
Data breaches can happen:

- Electronically – hacking, illegal access to computers/laptops/tablets/cameras, illegally sharing sensitive information
- Physically – documents/electronic devices taken off from the premises by non-permitted persons i.e. burglary

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Any responsible parties will be held accountable and dealt accordingly as detailed in our Disciplinary Policy/Confidentiality Policy.

General Data Protection Regulation (Regulation (EU) 2016/679 (GDPR) compliance

In order to meet our requirements under GDPR we will also undertake the following:

1. We will ensure our terms & conditions, privacy and consent notices are easily accessed/made available in accurate and easy to understand language
2. We will use your data to ensure the safe, operational and regulatory requirements of running our Nursery, these include [insert some examples]. We will only contact you in relation to the safe, operational and regulatory requirements of running our Nursery, these include [insert some examples]. We will not share or use your data for other purposes. Further detail can be found in our GDPR policy [insert document name].
3. Everyone in our nursery understands that people have the right to access their records or have their records amended or deleted (subject to other laws and regulations).
4. We will ensure staff have due regard to the relevant data protection principles, which allow them to share (and withhold) personal information, as provided for in the Data Protection Ac 2018 and the GDPR. This includes:
    - Being confident of the processing conditions which allow them to store and share information for safeguarding purposes, including information which is sensitive and personal, and should be treated as 'special category personal data.'
    - Understanding that 'safeguarding of children and individuals at risk' is a processing condition that allows practitioners to share special category personal data. This includes allowing practitioners to share information without consent where there is good reason to do so, and that the sharing of information will enhance the safeguarding of a child in a timely manner but it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk.

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Staff and volunteer information

- All information and records relating to staff will be kept confidentially in a locked cabinet
- Individual staff may request to see their own personal file at any time.

The location of our data protection certificate is: bulletin board next to entrance.

This policy was adopted on	Signed on behalf of the nursery	Date for review