

TinyTots Nursery GDPR & Data Protection Policy

In line with UK GDPR, the Data Protection Act 2018, Ofsted requirements and the Department for Education (DfE) guidance

Policy Name: GDPR & Data Protection Policy

Setting: TinyTots Nursery

Effective Date: _____

Review Date: _____

Manager: Gina Kalis

Deputy Manager: Zara Domachowski (acting in the manager's absence)

1. Policy Statement

TinyTots Nursery is committed to protecting the privacy, confidentiality and security of all personal information relating to children, parents, carers, staff, students and visitors.

We comply with:

UK General Data Protection Regulation (UK GDPR)

Data Protection Act 2018

Human Rights Act 1998

Freedom of Information Act (where applicable)

Ofsted requirements

Department for Education (DfE) statutory guidance

EYFS Statutory Framework

Personal information is collected fairly, stored securely, used lawfully and only retained for as long as necessary.

2. Purpose

The purpose of this policy is to ensure that:

Personal information is processed lawfully.

Confidential information is protected.

Staff understand their responsibilities.

Families understand how their information is used.

Data breaches are prevented wherever possible.

3. Data Protection Principles

TinyTots Nursery follows the seven UK GDPR principles:

Lawfulness, fairness and transparency.

Purpose limitation.

Data minimisation.

Accuracy.

Storage limitation.

Integrity and confidentiality.

Accountability.

4. Types of Personal Data We Hold

We may collect information including:

Children's information

Name

Date of birth

Address

Parent/carer details

Emergency contacts

Medical information

Allergies

SEN information

Safeguarding records

Attendance records

Learning and development records

Photographs (with consent)

Parent Information

Contact details

Identification where required

Funding information

Financial information

Employment details where applicable

Staff Information

Employment records

DBS information

Qualifications

Training records

Payroll information

Sickness records

Right to work documentation

5. Lawful Basis for Processing

TinyTots Nursery processes data under one or more lawful bases including:

Legal obligation

Contract

Public task

Vital interests

Legitimate interests

Consent where required (e.g. photographs, marketing)

Consent may be withdrawn at any time.

6. Confidentiality

All staff have a duty to maintain confidentiality.

Information must only be shared:

When legally required.

To safeguard a child.

With parental consent where appropriate.

With professionals involved in supporting the child.

Staff must never discuss confidential information in public areas or on social media.

7. Data Security

TinyTots Nursery ensures that:

Paper files are stored in locked cabinets.

Electronic files are password protected.

Devices are securely maintained.

Access is restricted to authorised staff.

Strong passwords are used.

Personal information is encrypted where appropriate.

Data is securely destroyed when no longer required.

8. Data Retention

Records are retained in accordance with:

DfE guidance

Ofsted expectations

Local Authority retention schedules

Legal requirements

Once records reach the end of their retention period they will be securely shredded or permanently deleted.

9. Parents' Rights

Parents and carers have the right to:

Access personal information.

Correct inaccurate information.

Request deletion where applicable.

Restrict processing in certain circumstances.

Withdraw consent where consent is the lawful basis.

Lodge a complaint with the Information Commissioner's Office (ICO).

10. Children's Rights

Where appropriate, children have rights under UK GDPR according to their age and understanding.

TinyTots Nursery will always act in the child's best interests.

11. Subject Access Requests

Individuals may request copies of their personal information.

TinyTots Nursery will normally respond within one calendar month unless an extension is legally permitted.

12. Data Breaches

Any suspected breach must be reported immediately to the Manager.

Examples include:

Lost paperwork

Lost devices

Emails sent to the wrong recipient

Unauthorised access

Information shared incorrectly

Where required, the Information Commissioner's Office will be notified within 72 hours.

Parents will also be informed where there is a high risk to their rights and freedoms.

13. Photographs and Images

Photographs will only be taken and used where appropriate consent has been obtained.

Images will never be shared publicly without permission.

Staff must not use personal mobile phones to photograph children.

14. Email and Electronic Communication

Staff must:

Use nursery-approved email accounts.

Lock computers when unattended.

Never share passwords.

Verify recipients before sending confidential information.

Report phishing or suspicious emails immediately.

15. Staff Responsibilities

Every member of staff is responsible for:

Following this policy.

Maintaining confidentiality.

Protecting children's information.

Keeping passwords secure.

Reporting data breaches immediately.

Only accessing information necessary for their role.

Keeping records accurate and up to date.

Completing GDPR and safeguarding training.

Using nursery devices and systems appropriately.

Ensuring confidential paperwork is securely stored.

Disposing of confidential information securely.

Never discussing confidential matters outside work or on social media.

Failure to comply with this policy may result in disciplinary action.

16. Manager's Responsibilities

Gina Kalis, Nursery Manager, is responsible for:

Overall compliance with UK GDPR.

Ensuring all staff receive GDPR training.

Monitoring compliance with this policy.

Maintaining secure record-keeping systems.

Responding to Subject Access Requests.

Investigating and recording data breaches.

Reporting serious breaches to the ICO where required.

Ensuring appropriate consent is obtained.

Monitoring retention and secure disposal of records.

Liaising with Ofsted, the Local Authority and other agencies regarding data protection.

Ensuring confidentiality is maintained across the nursery.

Reviewing this policy annually or sooner if legislation changes.

17. Deputy Manager's Responsibilities

Zara Domachowski, Deputy Manager, will assume responsibility for all GDPR and data protection duties in the absence of the Nursery Manager.

These responsibilities include:

Supporting staff with GDPR compliance.

Managing confidential records securely.

Reporting data breaches.

Handling Subject Access Requests.

Monitoring safe information sharing.

Ensuring policies continue to be implemented effectively.

Escalating concerns where appropriate.

Acting as the responsible manager during the Manager's absence.

18. Training

All staff will receive:

GDPR induction training.

Annual refresher training.

Confidentiality training.

Safeguarding training linked to information sharing.

Training records will be maintained.

19. Monitoring and Review

This policy will be reviewed:

Annually.

Following changes in legislation.

Following any significant data breach.

Following updates to Ofsted or DfE guidance.

Policy Approval

Nursery Manager:

Gina Kalis

Deputy Manager:

Zara Domachowski

Review Date: _____

Signature (Manager): _____

Signature (Deputy): _____

Date: _____

This policy aligns with the UK GDPR, the Data Protection Act 2018, the Early Years Foundation Stage (EYFS) statutory framework, and the expectations of Ofsted and the Department for Education regarding the secure handling of personal information in early years settings.