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Play • Learn • Grow

Safeguarding and Welfare Requirement: Information and Records

Providers must maintain records and obtain and share information to ensure the safe and efficient management of the setting, and to help ensure the needs of all children are met.

Confidential information and records about staff and children must be held securely and only accessible and available to those who have a right or professional need to see them.

Data Protection Policy (with regard to GDPR)

Policy Statement

First Step Pre-school needs to keep certain information about its employees, volunteers, clients and other clients of the public to enable it to monitor performance and achievements. It is also necessary to process information so that staff can be recruited and paid, activities organised and legal obligations to funding bodies and government fulfilled.

Aim

To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully. To do this, First Step Pre-school must comply with the Data Protection Principles, which are set out in the Data Protection Act 1998 (the Act). In summary these state that personal data must be:

- obtained and processed fairly and lawfully;
- obtained for a specified and lawful purpose and not processed in any manner incompatible with that purpose; adequate, relevant and not excessive for that purpose;
- accurate and kept up to date;
- not be kept for longer than is necessary;
- processed in accordance with the data subject's rights;
- kept safe from unauthorised access, accidental loss or destruction;
- not be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data.

All First Step Pre-school staff and volunteers who process or use any personal information must ensure that they follow these principles at all times. In order to ensure that this happens, First Step Pre-school has adopted this Data Protection Policy. Any person, who considers that this policy has not been followed in respect of personal data about him/herself, should raise the matter with the Designated Data Controller initially. If the matter is not resolved it should be raised as a formal grievance.

Methods

Notification of Data Held and Processed

All employees, trustees, volunteers, clients and other clients of the public have the right to:

- know what information First Step Pre-school holds and processes about them and why;
- know how to gain access to it;
- know how to keep it up to date;
- know what First Step Pre-school is doing to comply with its obligations under the Act.

Data Controller and Data Protection Officer

First Step Pre-School as registered charity is the Data Controller under the Act, and the organisation is therefore ultimately responsible for implementation. However, Data Protection Officers will deal with day to day matters. First Step Pre-School Data Protection Officers are: Jenny Harris (C.T.K) & Sue Ross (CW)

Information Held

Personal information is defined as any details relating to a living, identifiable individual. Within the pre-school this applies to employees, volunteers, clients and other clients of the public such as job applicants and visitors. We need to ensure that information relating to all these people is treated correctly and with the appropriate degree of confidentiality. First Step Pre-School holds personal information in respect of its employees, volunteers, clients and other clients of the public. The information held may include an individual's name, postal, e-mail and other addresses, telephone and facsimile numbers, subscription details, organisational roles. Personal information is kept in order to enable the pre-school to understand the history and activities of individuals or organisations within the voluntary and community sector and to effectively deliver services to its clients. Some personal information is defined as sensitive data and needs to be handled with special care (see paragraph 17 below).

Processing of Personal Information

All staff and volunteers who process or use any personal information are responsible for ensuring that:

- Any personal information which they hold is kept securely; and
- Personal information is not disclosed either orally or in writing or otherwise to any unauthorised third party. Staff and volunteers should note that unauthorised disclosure will usually be a disciplinary matter, and may be considered gross misconduct in some cases.

Personal information should be:

- kept in a locked filing cabinet; or
- in a locked drawer; or
- if it is computerised, be password protected; or
- kept only on disk/memory stick which is itself kept securely.

Telephone Conversations and Meetings:

If personal information is collected by telephone, callers should be advised what that information will be used for and what their rights are according to the act. Personal or confidential information should preferably not be discussed in public areas of the pre-school's work premises. Wherever possible, visitors should be escorted to a private area or

office and not be permitted to wander about the premises on their own. If possible, visitors should subsequently be escorted out of the premises when the meeting is over. All staff should be aware of the difficulties of ensuring confidentiality in an open plan area and respect the confidential nature of any information inadvertently overheard. Any notes taken during or after an interview should be of relevance and appropriate. It is recommended that such notes are subsequently filed in a legible and coherent manner and that informal notes are retained for a short period (1 year), in a secure place, before being shredded.

Collecting Information

Whenever information is collected about people, they should be informed why the information is being collected, who will be able to access it and to what purposes it will be put. The individual concerned must agree that he or she understands and gives permission for the declared processing to take place, or it must be necessary for the legitimate business of First Step Pre-School .

Publication and Use of First Step Pre-School Information

First Step Pre-School aims to make as much information public as is legally possible. In particular information about the pre-school staff, trustees and clients will be used in the following circumstances:

- We may obtain, hold, process, use and disclose information in connection with the administration, management and business activities of First Step Pre-School, including making and keeping lists of clients and other relevant organisations.
- We may publish information about First Step Pre-School and its clients including lists of clients, by means of newsletters or other publications.
- We may confirm to any third party whether or not any person is a client of First Step Pre-School.
- We may provide approved organisations that have the legal right, with lists of names and contact details of clients or other relevant organisations only where the clients or other relevant organisations have given their consent.
- We may use information for anything ancillary or incidental to any of the foregoing.
- Photographs of key staff may be displayed at First Step Pre-School or placed on the website with their consent.
- First Step Pre-School's staff contact list will not be a public document and information such as mobile telephone numbers or home contact details will not be given out, unless prior agreement has been secured with the staff member in question.

Any individual who has good reason for wishing details in these lists or categories to remain confidential should contact the Data Protection Officer.

Sensitive Information

Sensitive information is defined by the Act as that relating to ethnicity, political opinions, religious beliefs, trade union membership, physical or mental health, sex life, criminal proceedings or convictions. The person about whom this data is being kept must give express consent to the processing of such data, except where the data processing is required by law for employment purposes or to protect the vital interests of the person or a third party.

Disposal of Confidential Material

Sensitive material should be shredded. Particular care should be taken to delete information from computer hard drives if a machine is to be disposed of or passed on to another member of staff.

Staff Responsibilities

All staff are responsible for checking that any information that they provide to First Step Pre-School in connection with their employment is accurate and up to date. Staff have the right to access any personal data that is being kept about them either on computer or in manual filing systems. Staff should be aware of and follow this policy, and seek further guidance where necessary.

Duty to Disclose Information

There is a legal duty to disclose certain information, namely, information about: child abuse, which will be disclosed to social services, or drug trafficking, money laundering or acts of terrorism or treason, which will be disclosed to the police.

Retention of Data

First Step Pre-School will keep some forms of information for longer than others. Because of storage constraints, information about clients cannot be kept indefinitely, unless there are specific requests to do so. In general information about clients will be kept for a minimum of one year after they use the services, unless other bodies, such as funders, require the pre-school to keep the information longer.

The pre-school will also need to retain information about staff. In general, all information will be kept for six years after a member of staff leaves the pre-school. Some information however will be kept for much longer, for example, if required by funders. This will include information necessary in respect of pensions, taxation, potential or current disputes or litigation regarding the employment, and information required for job references. A full list of information with retention times is available from the Data Protection Officer.

A statement about Data Protection will be displayed clearly within public spaces within First Step Pre-School premises.

This policy was adopted at a meeting of	First Step Pre-school	name of setting
Held on	21/11/2018	(date)
Date to be reviewed		(date)
Signed on behalf of the management committee	A signed copy is available to view at Pre-school	
Name of signatory	_____	
Role of signatory (e.g. chair/owner)	_____	