



Statement of Intent

Sandhurst Nursery School is required to collect personal information for its employees, children, parents and visitors. It is also necessary to process information so that staff can be recruited and paid, activities organised and to meet legal obligations to funding bodies. We intend to meet all requirements of the Data Protection Act 1998 and the General Data Protection Regulations 2018 when collecting, storing and destroying personal data.

Sandhurst Nursery School are registered with the Information Commissioners Office (ICO) because we process personal information.

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, Sandhurst Nursery School must comply with the Data Protection Principles which are set out in the Data Protection Act 1998. 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 a manner incompatible with that purpose; adequate, relevant and not excessive for that purpose;
- Accurate and kept up to date;
- Not 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 to be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data.

All Sandhurst Nursery 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, Sandhurst Nursery School has adopted this Data Protection Policy.

Notification of Data Held and Processed

All employees, parents, visitors, and other members of the public have the right to:

- Know what information Sandhurst Nursery 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 Sandhurst nursery School is doing to comply with its obligations under the Act.

The Data Controller and the Designated Data Controllers

Sandhurst Nursery School Trustees are the Data Controllers under the Act.

The Manager Angela Writer is the designated Data Controller for Sandhurst Nursery School.

Personal Information

Personal information is defined as any details relating to a living, identifiable individual. Within Sandhurst Nursery School this relates to employees; attending children and their families; professional visitors; and some members of the public e.g. job applicants. We need to ensure that the information gained from each individual is kept securely and to the appropriate level of confidentiality.



The personal information collected from individuals could include:

- Their name
- Address
- Email address
- Telephone numbers – including emergency contacts
- Date of birth
- Medical information
- National Insurance number
- DBS numbers
- Observations of children's progress (learning journals)
- Children's reports, preschool or from outside agencies
- Photographs
- Family medical history when necessary

Sandhurst Nursery School store personal information to comply with the statutory framework (EYFS 2021); to deliver services to our families e.g. government funding; to employ suitable people for our setting and to ensure that all policies and procedures are upheld.

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;
- 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 cupboard; or
- If it is computerised, be password protected;
- Kept on a storage device which is itself kept securely.

Conversations and Meetings

Information of a personal or confidential nature should not be discussed in a public area, in front of anyone that is not an employee of Sandhurst Nursery School. Employees should be aware of confidentiality at all times when discussions are taking place, either distancing themselves from the conversation, if it does not concern them, or, ensuring that their discussion is not overheard by others. All staff should respect the confidential nature of any information inadvertently overheard.

When meetings are being recorded it is important that any relevant information is written down. This must be carried out using the correct forms provided by the nursery, notes must be written legibly and coherently. The written notes are then to be stored in a locked cupboard and disposed of (shredded) in a timely manner once the child/family have left the setting (1 year, unless of a child protection nature).



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 the nursery.

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 as soon as it is no longer needed; following retention guidelines and statutory requirements. Particular care should be taken to delete information from tablets or the computer hard drives if they are to be disposed of.

Staff Responsibilities

All staff are responsible for checking that any information that they provide to Sandhurst Nursery 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 a manual filing system. Staff should be aware of and follow this policy and seek further guidance if 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

Sandhurst Nursery School takes care to only store personal information that is absolutely necessary. Personal information is kept for the period of time requested by our statutory obligations; these retention periods are either recommended or statutory.

Stored information is filed in sealed filing boxes and locked in the Nursery loft. Once the retention period has lapsed, the information is destroyed.

For retention periods please see the attached guidance.



Retention Periods for Records				
Type	Record	Retention Period	Status	Authority
Children's Records	Children's records - including registers, medical records, accident/incident records pertaining to the children	A reasonable period of time after children have left the provision (e.g. until the next Ofsted inspection)	Requirement	Statutory framework for the Early Years foundation Stage (given legal force by Childcare Act 2006)
		Until the child reaches the age of 21 – or until the child reaches the age of 24 for child protection records	Recommendation	Limitation Act 1980 Normal limitation rules (which mean that an individual can claim for negligently caused personal injury up to 3 year after, or deliberately caused personal injury up to 6 years after the event) are postponed until a child reaches the age of 18 years of age
	Records of any reportable death, injury, disease or dangerous occurrence	3 years after the date the record was made	Requirement	The Reporting of Injuries, diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (as amended)

Type	Record	Retention Period	Status	Authority
Personnel records	Personnel files and training records (including disciplinary records and working time records)	6 years after employment ceases	Recommendation	Chartered Institute of Personnel and development
	DBS Check	6 months	Recommendation	DBS Code of Practice The following basic information should be retained after the certificate is destroyed: the date of issue; the name of the subject; the type of disclosure; the position for which the disclosure was requested; the unique reference number; and the details of the recruitment decision taken

Type	Record	Retention Period	Status	Authority
Pay	Wages/Salary records (including overtime, bonuses ad expenses)	6 years	Requirement	Taxes Management Act 1970
	Statutory Maternity Pay (SMP) records	3 years after the end of the tax year to which it relates	Requirement	The Statutory Maternity Pay (General) Regulations 1986
	Statutory sick Pay (SSP) records	3 years after the end of the tax year to which they relate	Requirement	The Statutory Sick Pay (General) Regulations 1982
	Income tax and National Insurance returns/records	At least 3 years after the end of the tax year to which they relate	Requirement	The Income Tax (Employments) Regulations 1993 (as amended)
	Redundancy details, calculations of payment, refunds, notification to the secretary of State	6 years after employment ends	Recommendations	Chartered Institute of Personnel and Development

Type	Record	Retention Period	Status	Authority
Health and Safety	Staff accident records (for organisations with 10 or more employees)	3 years after the date the record was made (there are separate rules for recording of accidents involving hazardous substances)	Requirement	Social Security (Claims and Payments) Regulations 1979
	Records of any reportable death, injury, disease or dangerous occurrence	3 years after the date the record was made	Requirement	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995(RIDDOR) (as amended)
	Accident/medical records as specified by the control of substances Hazardous to Health Regulations (COSHH)	40 years from the date of the last entry	Requirement	The control of Substances Hazardous to Health Regulations 2002 (COSHH)
	Assessments under Health and safety Regulations and records of consultations with safety representatives and committees	Permanently	Commendation	Chartered Institute of Personnel and Development

Type	Record	Retention Period	Status	Authority
Financial records	Accounting records	3 years from the end of the financial year for private companies, 6 years for public limited companies	Requirement	Companies Act 2006
		6 years for Charities	Requirement	Charities Act 2011

Type	Record	Retention Period	Status	Authority
Administration Records	Employers liability insurance records	For as long as possible	Recommendation	Health and Safety Executive
	Minutes/minute books	10 years from the date of the meeting for companies	Requirement	Companies Act 2006
		6 years from the date of the meeting for Charitable Incorporated Organisations	Requirements	The charitable Incorporated Organisations (General) Regulations 2012
		Permanently	Recommendation	Chartered Institute of Personnel and development