

**The Life Nursery**

**Data Protection Policy**

Introduction

The OurBD4 CIC Board of Directors have overall responsibility for ensuring that records are maintained, including security and access arrangements, in accordance with Education Regulations and all other statutory provisions.

This is a statement of personal data handling policy in compliance with the General Data Protection Regulation 2018, as adopted by the Nursery Manager and the Board of Directors. All staff involved with the collection, processing and disclosure of personal data have been made aware of their duties and responsibilities within this document.

Our Nursery needs to collect and use certain types of information about people with whom it deals in order to operate. These include current, past and prospective employees, suppliers, children, parents/carers, clients and customers and others with whom we communicate. In addition, we may be occasionally required by law to collect and use certain types of information of this kind to comply with the requirements of government departments and agencies, for example, OFSTED and Bradford Council.

This personal information will be dealt with correctly however it is collected, recorded and used – whether on paper, in a computer or recorded on other material and there are safeguards to ensure this in the General Data Protection Regulation.

We recognise that the lawful and correct treatment of personal information by The Life Nursery is very important to successful operations and to maintaining confidence between those with whom we deal and ourselves. We therefore ensure that our nursery treats personal information lawfully and correctly.

**Data Protection Principles**

To demonstrate our commitment, we fully endorse and adhere to the Principles of data protection as set out in the Data Protection Act 1998.

Specifically, the principles require that personal information:

1. Shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions set out in the Data Protection Act 1998 are met:
2. Shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes;
3. Shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed;
4. Shall be accurate and, where necessary, kept up to date;
5. Shall not be kept for longer than is necessary for that purpose or those purposes and retained only for as long as necessary;
6. Shall be processed in accordance with the rights of data subjects under the Act;

Also that:

1. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss, damage or destruction to personal data;
2. Personal data shall not be transferred to a country or territory outside of the European Economic Area unless that country or territory is subject to a ‘Community Finding’ by the European Commission, which permits transfer.

**Our Commitment**

The Life Nursery will, through appropriate management and strict application of criteria and controls:

* Observe fully conditions regarding the fair collection and use of information;
* Meet its legal obligations to specify the purpose for which information is used;
* Collect and process appropriate information and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
* Ensure the quality and accuracy of personal information used;
* Apply strict checks to determine the length of time information is held;
* Ensure that the rights of people about whom information is held can be fully exercised under the Act. These include: the right to be informed that processing is being undertaken; the right of access to one’s personal information; the right to prevent processing in certain circumstances; the right to correct, rectify, block or erase information which is regarded as wrong;
* Take appropriate technical and organisational security measures to safeguard personal information;
* Ensure that personal information is not transferred abroad without suitable safeguards;
* Ensure that everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice;
* Ensure that everyone managing and handling personal information is appropriately trained to do so;
* Deal with queries about personal information promptly and courteously.

**Disclosure of Personal Information**

In general, The Life Nursery will only disclose personal information about individuals with their consent. However, there are circumstances under which personal information may be disclosed without consent. Some of these are listed below:

* In connection with any legal proceedings or for the purposes of the detection and prevention of crime;
* In connection with any child protection case

In any event, personal information will only be disclosed with proper justification under the Data Protection Act 1998.

**OurBD4’s Notification Entry**

The Life Nursery is properly notified (registered) under the Data Protection Act 1998 so that our processing of personal information is lawful. Our notification entry can be checked on-line at [www.dataprotection.gov.uk](http://www.dataprotection.gov.uk) by accessing the Register of Data Controllers. Alternatively, a copy of our notification entry can be checked by appointment in nursery.

**Information Commissioner’s Office (ICO)**

The Life Nursery is registered with the information Commisioner’s Officer (ICO) under the provisions of the Data Protection Act 1998. (see attached Certificate of Registration). The ICO uphold information rights in the public interest.

**General Data Protection Regulation (GDPR)**

The GDPR is a new EU law and will come into effect on 25 May 2018, replacing the current Data Protection Act 1998. This will give parents, carers and staff greater control in their own personal data.

**Further information**

You can exercise your rights or find out more information about OurBD4’s personal data handling policy from the office on Bradford (01274) 688 686 or in writing to:

Our BD4 CIC, The Life Nursery, Bierley House Avenue, BD4 6BU.

**Important Notice**

All nursery staff have a duty to make sure that they comply with the requirements of the Data Protection Act 1998. In particular, all staff must ensure that records are:

* Fair
* Accurate and where necessary up-to-date
* Kept and disposed of safely and securely

Individual members of staff can be liable in law under the terms of this Act. They may also be subject to claims for damages from persons harmed or who suffer distress as a result of inaccuracy, unauthorised use or disclosure of their data. Any deliberate breach of this policy will be treated as a disciplinary matter and serious breaches of the Act may lead to dismissal.

**Policy approved – May 2018**

**To be reviewed – May 2019**

May 2018

Policy read and agreed by:

Policy read and agreed by:

|  |  |
| --- | --- |
| Name | Date |
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Access to personal data request

Data Protection Act 1998 Section 7.

Enquirer’s Surname ............................................... Forenames ..................................

Enquirer’s Address .......................................................................................................

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Postcode ........................................

Telephone number: ................................................................

Are you the person who is the subject of the records you are enquiring about? YES/NO (ie: the “Data Subject”)

If NO,

Do you have parental responsibility for a child who is the “Data Subject” of the records you are enquiring about? YES/NO

If YES,

Names of child or children about whose personal data records you are enquiring:

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Description of Concern/Area of Concern

Description of Information or Topic(s) requested (in your own words):

Additional information

Please despatch reply to: (*if different from enquirer’s details as stated on this form)*

Name:

Address:

Postcode:

**Data subject declaration**

I request that The Life Nursery search its records based on the information supplied above under Section 7 (1) of the Data Protection Act 1998 and provide a description of the personal data found from the information described in the details outlined above relating to me (or my child/children) being processed by the nursery.

I agree that the reply period will commence when I have supplied sufficient information to enable The Life Nursery to perform the search.

I consent to the reply being disclosed and sent to me at my stated address (or to the despatch name and address above whom I have authorised to receive such information).

Signature of “Data Subject” (or Subject’s Parent) .........................................................

Name of “Data Subject” (or Subject’s Parent)

(printed) ........................................................................

Dated ...................................................