

## 40. GDPR Policy and Procedure

At Westfield House we are subject to General Data Protection Regulation (GDPR) 2018 and follow this legislation. We must adhere to data protection laws, however it is our duty to share any information with the relevant agencies in cases of safeguarding and child protection.

Parents are welcome to view the policies and procedures of the nursery which govern the way in which the nursery operates. These may be viewed at any time when the nursery is open, simply by asking the nursery manager or by accessing the file in the hallway between our two pre-school rooms.

Parents are welcome to see and contribute to all the records that are kept on their child. Please note that pictures of your child in a group situation may be included in other children's records and diaries in order to share group experiences for which your permission will be sought. We ask that parents do not share any group images with families, friends or social media.

As we hold personal information about staff and families, we are registered with the Information Commissioner's Office. All parent, child and staff information is stored securely according to the requirements of GDPR (2018), including details, permissions, certificates and photographic images. We will ensure that staff understand 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.

### **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 confidentiality and 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, discussions on the bus or at the local bar. 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 GDPR policy and required to respect it.
- Staff will receive regular training on data protection and confidentiality.
- 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.
- 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

from outside the nursery for whatever reason, the parent's permission will always be sought.

- 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 media 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 policy will override confidentiality.

### **Breach of Data / Confidentiality Procedure**

In the unlikely event that a breach of data occurs, we will follow the procedure below:

- The breach should be reported to our Data Protection Officer Joanna Aspinall promptly and an initial assessment will be made to establish the severity of the breach.
- If a serious breach occurs, we will inform ICO who may wish to carry out an investigation.
- We will carry out our own investigation into the breach including how the breach occurred, who might have been involved and put steps in place to ensure it does not happen again.
- We will inform the individual whose data has been breached and offer any support if needed.
- If the investigation finds that the breach is due to the negligence of a member of staff, this will result in disciplinary action or dismissal.

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

The nursery's records and documentation are kept and stored in accordance with minimum legal archiving requirements. We currently archive children's personal records for at least 21 years and three months.