

GDPR and Record Retention Policy



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SRM Associates Ltd trading as Tiny Oaks Day Nursery are data controllers (as defined in the Data Protection Legislation) in respect of the personal data collected and used by both parties for the operation of the local nursery.

We use the following terms in this policy:

Data Protection Legislation means all applicable laws relating to the processing, privacy, and/or use of Personal Data including but not limited to, the Privacy and Electronic Communications (EC Directive) Regulations 2003, the General Data Protection Regulation (EU) 2016/679, as it forms part of domestic law in the United Kingdom by virtue of section 3 of the European (Withdrawal) Act 2018 (including as further amended or modified by the laws of the United Kingdom from time to time), and any laws implementing, replacing or supplementing the same.

Data Subject has the meaning given to it in Data Protection Legislation.

Data Subject Request means a request made by a Data Subject to exercise any rights of Data Subjects under Data Protection Legislation.

Personal Data has the meaning given to it in the Data Protection Legislation.

Personal Data Breach means any breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of or access to any Personal Data.

SRM Associates Ltd provides certain amounts of support and resources to Tiny Oaks Day Nursery but it is the responsibility of the nursery to ensure its own compliance with the Data Protection Legislation in all other cases. In this respect, the nursery shall:

- Provide the privacy notice in the form approved by SRM Associates Ltd to all employees, job applicants, parents, and prospective parents, that explains SRM Associates Ltd and Tiny Oaks Day Nursery's ability and right to use their personal data, and provide evidence on demand to SRM Associates Ltd that such privacy notice was provided
- Comply in all respects with all Data Protection Legislation and any policies and procedures that may be published by SRM Associates Ltd from time to time in respect of Personal Data or pursuant to the Data Protection Legislation.
- Collect and process Personal Data only so far as is necessary for the purpose of performing its obligations.
- Not by any act or omission cause SRM Associates Ltd to be in breach of any Data Protection Legislation.
- Implement and maintain (and at all times comply with) appropriate technical and organisational measures in relation to the processing of Personal Data so as to ensure a level of security in respect of Personal Data processed by it that is appropriate to the risks that are presented by the processing, in particular from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to Personal Data.

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- Not engage any third party for carrying out any processing activities in respect of the Personal Data without SRM Associates Ltd's specific prior written consent.
- Notify SRM Associates Ltd of all Data Subject Requests it receives within 3 days of receipt of the request and provide such information and cooperation and take such action as the Franchisor reasonably requests within the timescales required by SRM Associates Ltd.
- Not transfer any Personal Data outside of the European Economic Area without SRM Associates Ltd's prior written consent.
- Notify SRM Associates Ltd without delay (and in any event no later than 12 hours after becoming aware) in the event of a Personal Data Breach and provide such details of the Personal Data Breach as SRM Associates Ltd may reasonably require and take such steps and do all acts and things as SRM Associates Ltd requires in order to mitigate the effects of and resolve the Personal Data Breach
- Maintain complete, accurate and up to date records of all data processing activities it carries out, containing such information as SRM Associates Ltd may require from time to time.
- Promptly (and in any event within 5 days) provide copies of such records described above to SRM Associates Ltd when requested
- Allow and contribute to and provide reasonable access for, audits including inspections, conducted by or on behalf of the director for the purpose of checking the nursery's compliance with this policy and the Data Protection Legislation
- Promptly resolve all issues or non-compliance discovered by SRM Associates Ltd or its agents that reveal a breach or potential breach by the nursery of its obligations under this policy and the Data Protection Legislation.

This policy was adopted on	Signed on behalf of the nursery	Date for review
16/1/2023	<i>m khaira</i>	16/01/2024

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Business function	Document examples	Retention period
HR	Employee data, including all information on personnel files e.g. CVs, application form, DBS, right to work, sickness information, disciplinary information, training certificates, probation, appraisal and performance data	7 years post-employment
	Training records	Current year plus 3 years
	Data relating to ex-employee claims/threats/SAR	2 years after claim/SAR concluded, or 6 years post-employment whichever is later
	Candidate application forms/CVs and accompanying documentation, Interview and application form (of applicants who aren't successful)	6 months post-date of recruitment decision
	Supporting documents for DBS check (not birth certificate or passport as these prove Right to Work entitlement)	6 months post-date of check
Finance and property	Insurance policy documents/claim history Employers' liability insurance records Public liability insurance records	Current year plus 6 years, or 6 years after case concluded, whichever is the later
	Paying in books, ledger, invoices, receipts, bank statements, petty cash books	Current year plus 6 years
	Budget reports/budget documentation	Current year plus 3 years
	Title deeds	Forever
	Annual Accounts	Current year plus 6 years
Health and Safety	Risk Assessments	Current year plus 3 years
	Health and Safety checks - kitchen checks, EHO	12 Months
	Servicing; including, Fire records, emergency lighting, PAT, gas, boiler	Current year plus 3 years
	Outings, cleaning rotas and First Aid Box checks	12 Months
Operational	Nappy, meal, sleep, bottle charts	3 Months then shred
	Room Planning	3 Months then shred
	Kitchen daily dietary sheet	3 Months then shred
	Staff meeting minutes	12 Months
	Accident & medication forms (including death) Safeguarding - for children	21 Years 3 Months
	Accident forms - for staff	7 Years
	Children personal information	5 Years
	SEN information	5 Years
	Health and Safety within the room (opening/close/garden checks)	12 Months
	Funding children information	6 Years