

WESTWARDS NURSERY

Retention Policy for GDPR – Children and Parents

From May 25th 2018 our setting will adhere to The General Data Protection Regulation (GDPR). This is an EU directive that all UK businesses are required to follow as law. The UK Government has stated that it will continue to enforce GDPR irrespective of a UK exit from the EU.

We are required by the EYFS 2017 to collect and gather information on your child so that we care fully prepared to support them in their emotional and physical developmental journey. Under the new GDPR regulations we are required to inform parents and guardians as to how and why we collect the data, and how this data will be shared and how it will be retained and why and how we will delete certain information when a child leaves our setting.

We would like parents and carers to know that when your child leaves our setting we may keep data pertaining to the following areas:

- LA Funding information
- Information relating to finances which we may have to show to the HMRC
- Accident and Incident Forms
- Safeguarding Data (Limitation Act/EYFS Requirements/ Court Judgments)

Our policy is to retain data in accordance with the laws of GDPR and in accordance with the EYFS 2017. We will not retain any data that is not relevant or does not hold a legal or justified basis to do so. However, there is some data that we are legally required to keep for a specified time limit long after your child leaves.

The table below lists some of the documents that we currently collect on your child and how we erase or retain the data and for how long. Under GDPR you have the right to ask us about any information that is held about you and your child and we are obliged to share this with you. You are also able to ask for us to delete and erase records about your child as under GDPR everyone has the right to erasure. There are some exceptions where this is not possible, for example, situations relating to safeguarding which doesn't allow us to erase such data. Our setting will make decisions on erasure on a case by case basis and will seek appropriate legal if required.

If in the future our setting closes, we are still required by law to keep certain data in accordance with GDPR. We will ensure that all information is securely protected if stored online. Paper documentation will be kept securely in a locked cabinet for the period of retention.

Safeguarding and Welfare Requirements – Data Retention

Name of Data collected	Legal basis for keeping the records	Retention period	After retention
Accident and Incident Records along with insurance (this would be kept along with relevant insurance documents from that time). If we are keeping these records we would also ensure that the records pertaining to the child's contract and attendance register.	Limitation Act 1980 (Legal obligation) Vital Interests	Until a child is 21 years and 3 months old	Data collected on the computer or any technological device will be erased completely from the system. Data which is in paper format will be shredded.
Observation records Progress reports photographs	Legal obligation Legitimate interests	We do not retain this information. This information is passed onto parents/guardians	
Early Years Foundation Profile Report	Legal obligation	This is not retained by us, we pass this to this information on to the course	
Childcare Register: Personal Details of the child, home address, telephone details, child record forms, medicines administered, staff information, consent forms and such like	Legal obligation Legitimate interests	2 years – the EYFS states that the registered person must keep a record...and retain such records for a period of two years.	Data collected on the computer or any technological device will be erased completely from the system. Data which is in paper format will be shredded.
Financial Records which includes transaction information, and the name and address of the parent/guardian	Legal obligation HMRC states that: "you must keep your records for at least five years after the 31 January submission deadline of the relevant tax year.	6 Years	Data collected on the computer or any technological device will be erased completely from the system. Data which is in paper format will be shredded.

Personal Information – we will keep this information on our system for up one year so that we may be able to contact parents/guardians should anything arise due to financials, or issues relating to Universal Credits. We would retain only your telephone details and email address – with consent.	Legitimate interest	1 year	<p>Data collected on the computer or any technological device will be erased completely from the system.</p> <p>Data which is in paper format will be shredded.</p>
Local Authority Funding Information/forms and consents	Contractual Necessity	Undisclosed and will follow the advice of the LA	<p>Data collected on the computer or any technological device will be erased completely from the system.</p> <p>Data which is in paper format will be shredded.</p>
Photographs/text messages/facebook conversations	Legitimate interests	We will not retain any photographs unless written consent has been given to use these photographs in advertising. In which case parents/guardians are required to sign a form for this. This doesn't affect your right to erasure.	<p>Data collected on the computer or any technological device will be erased completely from the system.</p> <p>Data which is in paper format will be shredded.</p>
Sensitive Data – information pertaining to health, religion, ethnicity	Legitimate interests	We will not retain this data	
Medical records - COSHH	Limitation Act Legal Obligation	40 Years	<p>Data collected on the computer or any technological device will be erased completely from the system.</p> <p>Data which is in paper format will be shredded.</p>

