

Safeguarding and Welfare Requirement: Information and Records

Providers must maintain records and obtain and share information to ensure the safe and efficient management of the setting, and to help ensure the needs of all children are met.



Data Protection

Policy Statement

Langham Pre-School needs to collect and use certain type of information about people with whom it deals with in order to operate. These include current, past and prospective employees, committee, children, parents and others with whom it communicates. In addition, it may occasionally be required by law to collect and use certain types of information to comply with the requirements of government departments for education.

The personal information must be dealt with properly 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 Regulations (GDPR) (2018). We regard the lawful and correct treatment of personal information by Langham Pre-School as very important to successful operations, and to maintaining confidence between those with whom we deal and ourselves. We ensure that our organisation treats personal information lawfully and correctly. To this end we fully endorse and adhere to the Principles of Data Protection. Langham Pre-School will undertake its role to keep the premises, information and persons physically secure in accordance with identified risk assessments, insurance requirements and legal obligations.

EYFS key themes and commitments

A Unique Child	Positive Relationships	Enabling Environments	Learning and Development
1.3 Keeping safe	2.1 Respecting each other 2.2 Parents as partners 2.4 Key-Person	3.4 The wider context	

Procedures

Information:

- shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met;
- 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;

- shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed;
- shall be accurate and where necessary, kept up to date;
- shall not be kept for longer than is necessary for that purpose or those purposes;
- shall be processed in accordance with the rights of data subjects under the Act;
- appropriate technical and organisation measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data;
- shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data,

Therefore, Langham Pre-School will, through appropriate management, strict application of criteria and controls:

- Observe fully conditions regarding the fair collection and use of information.
- Meet its legal obligations to specify the purposes for which the 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 of information used.
- Apply strict checks to determine the length of time 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 and the right to correct, rectify, block or erase information which is regarded as wrong information).
- Take appropriate technical and organisational security measures to safeguard personal information. Ensure that personal information is not transferred abroad without suitable safeguards.

In addition Langham Pre-School will ensure that:

- There is someone with specific responsibility for data protection in the organisation.
- Everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice.
- Everyone managing and handling personal information is appropriately supervised.
- Anybody wanting to make enquiries about handling personal information knows what to do.
- Queries about handling personal information are promptly and courteously dealt with.
- Methods of handling personal information are clearly described.
- A regular review and audit is made of the way personal information is managed.
- Methods of handling personal information are regularly accessed and evaluated.
- Performance with handling personal information is regularly accessed and evaluated.

Data Protection and Security Procedure

This procedure enhances the Data Protection and Security Policy, detailing how the Policy works within Langham Pre-School.

This procedure covers Technical, Organisational and Physical Security Measures.

Technical

Langham Pre-School uses data stored on:

- A password protected computer
- Visual images on ipads – password protected
- Langham Pre-School website
- Paper
- Letters
- Forms
- Notes for the Record
- Pre-School Mobile phone – password protected

These components are stored in a lockable room/cabinets. The person removing data or items undertakes to keep the data or items in a secure and confidential environment, whilst in their care.

Organisational

Langham Pre-School has a Confidentiality & Client Access to Records Policy which all staff, committee members and parents are made aware of.

Risk Assessments are carried out on a daily, weekly and ad-hoc basis and signed off by the person most equipped to do so.

Langham Pre-School uses the following reports on a daily/termly basis:

- Accident Book
- Incident Book
- Changing Record
- Fire Drill Book
- Pre-Existing Injuries
- Observational Sheets
- Activity Plans
- Planning Sheets
- General letters to parents e.g. newsletters

All these books are kept in the Administration Cupboard and are locked away at the end of each session. All materials are archived for the appropriate legal required timings.

Staff and Trustees personal files are maintained and are kept securely within the Pre-School. Personnel files contain details of address, medical information, training, supervisions and DBS Checks Information.

Outsourcing

Langham Pre-School staff are required to take home child profiles to update them as necessary. The staff undertake to carry out their agreed work with reference to the Data Protection and Security Policy and Procedure.

Specifically:

- To respect all confidential and private information at all times.
- From Risk Assessments, comply with the identified actions required to minimise potential breaches of security, technical, organisational and physical, for example:
 - Technical – computer passwords held securely.
 - Organisational – paperwork filed in a lockable cabinet at all times.
 - Physical – security measures undertaken such as ‘special delivery’ post or hand delivered by authorised personnel only.
 - Only use information for the purpose for which they are working.
 - Records are never left in a vehicle overnight.

Detection and Investigation of breaches of security include the following:

Technical

Detection:

- Technical data ‘lost’ or ‘moved’
- Follow chain of command to inform

Investigate:

- Change passwords
- Check records as to who had access
- Interview
- Remove risk of it happening again
- Start disciplinary procedure

Organisational

Detection:

- System/process/procedure fails to work
- Follow chain of command to inform

Investigate:

- Check Risk Assessments
- Check evidence
- Interview
- Let relevant staff/Trustee know of outcome and changes to procedures or policies etc.

Physical

Detection:

- Physical misuse or break
- Follow chain of command to inform

Investigate:

- Call relevant authorities (school, police)

Chain of Command to Report

- Person finding breach
- Deputy
- Manager
- Trustees
- Ofsted
- External Agency
- E.g. Police
- School

By involving Ofsted and external agencies (depending upon type of breach), the Pre-School Manager and Trustee(s) will both be involved at the investigation stage.

This policy will be reviewed annually, unless new legislation or an incident occurs which requires an immediate review of this policy.

This policy was adopted at a meeting of Langham Pre-School held on: **1st June 2020**

Signed on behalf of the Management:-

..... **Business Manager Hayley Jakeman** Date

..... **Manager Maria Bukovenczki** Date

Date to be reviewed: **May 2021**