Little Monsters Day Nursery

General Data Protection Regulation (GDPR) Policy

1. Policy Statement

Little Monsters Day Nursery collects personal data about children, staff, and parents/carers as part of the safe and effective running of the setting. We are committed to complying with the **General Data Protection Regulation (GDPR) 2018** and relevant UK data protection legislation, ensuring that personal information is handled lawfully, fairly, and transparently.

2. Scope

This policy applies to:

- All staff, volunteers, and management.
- All personal data collected, stored, and processed by the setting, including records about children, families, and staff.

3. GDPR Principles

We adhere to the GDPR **Privacy Principles**:

1. Lawfulness, fairness, and transparency in processing data.
2. Purpose limitation: data is used only for the reason it is collected.
3. Data minimisation: only collect data that is necessary.
4. Accuracy: maintain up-to-date and correct records.
5. Storage limitation: data is kept only as long as required.
6. Integrity and confidentiality: protect data from unauthorized access or loss.
7. Security: implement measures against unlawful processing, loss, damage, or theft.
8. Accountability: ensure data is not transferred outside the EU to non-compliant organisations.

4. Individuals' Rights

Under GDPR, individuals have the right to:

- Be informed about how their data is used.
- Access their personal data.
- Request correction of inaccurate data.
- Request deletion of data.
- Restrict processing.
- Data portability.
- Object to processing.
- Rights related to automated decision-making and profiling.

5. Roles and Responsibilities

- **Data Controller:** The nursery is the data controller and determines the purposes and means of processing personal data.
- **Data Processor:** Third-party organisations processing data on our behalf (e.g., payroll, IT systems) are GDPR-compliant.
- **Designated GDPR Lead:** Shweta Kumar is responsible for:
    - Ensuring compliance with GDPR.
    - Auditing all personal data.
    - Ensuring staff awareness and training.
    - Investigating data breaches.
    - Keeping up to date with legislation.

All staff are responsible for ensuring personal data they handle is secure, accurate, and processed in line with this policy.

6. Lawful Basis for Processing

All personal data is processed under one of the lawful bases set out in GDPR:

1. **Consent:** Individual has given clear permission for a specific purpose (e.g., photographs).
2. **Contract:** Necessary to fulfil contractual obligations (e.g., childcare contracts, government funding).
3. **Legal obligation:** Required by law (e.g., EYFS statutory records, staff records).
4. **Vital interests:** To protect someone's life.
5. **Public task:** Necessary to perform a public function.
6. **Legitimate interests:** Processing is necessary for legitimate purposes, unless overridden by the individual's rights.

Where consent is required (e.g., photos, media), parents/carers can withdraw consent at any time.

7. Data Collection and Storage

- Collect only data that is necessary and relevant.
- Maintain accurate, up-to-date records.
- Store paper records securely in locked cabinets.
- Store digital records on password-protected devices.

- Limit access to authorised staff only.

8. Data Retention and Disposal

- Data is retained only as long as required by law or operational need.
- Refer to the **Retention Periods for Records** schedule for specific guidance.
- Data is disposed of securely, e.g., shredding paper documents and securely deleting digital files.

9. Privacy Notices

- Parents, carers, and staff are provided with privacy notices explaining:
    - How and why data is collected.
    - How it is stored and shared.
    - Retention periods.
    - Their rights under GDPR.

10. Security Measures

- Paper records are locked in secure cabinets.
- Digital devices are password-protected.
- Access is restricted to authorised personnel.
- Staff receive training on maintaining data security and confidentiality.

11. Compliance and Monitoring

- The GDPR Lead ensures compliance, audits records, and monitors implementation.
- Staff are trained and updated on GDPR responsibilities.
- Data breaches are investigated promptly, and appropriate action is taken.
- The policy is reviewed annually or when legislation changes.

12. Legal Framework

- **General Data Protection Regulation (2018)**
- **Human Rights Act (1998)**

13. Policy Adoption

Nursery: Little Monsters Day Nursery

Date Adopted:

Signed: _____

Role: Manager