General Welfare Requirement: Documentation

Providers must maintain records, policies and procedures required for the safe and efficient management of the settings and to meet the needs of the children.

Record keeping

5.5 Data Protection and the GDPR

Policy Statement

St Christopher's Playgroup understands its obligations to comply with the General Data Protection Regulation, introduced in May 2018.

Privacy Principles

- You must have a lawful reason for collecting the data and how you process it should be fair and transparent.
- *You can only collect data for a specified purpose and only use it for that purpose*
- *You must only collect the data that is necessary.*
- *It must be accurate and be kept up to date.*
- *You must not keep the data for longer than is necessary.*
- *In addition to this there is a Principle of Accountability which means that as*
- *You must keep it safe.*

Our GDPR Lead is **Karen Cookes**

Privacy notices, individual rights and consent

All of these must be clearly communicated using 'concise, easy to understand and clear language'. There are
six lawful bases for processing information and in a setting you are most likely to be relying on the lawful base
of either Contract or Consent. Relying on contract means that the processing of the data is necessary for a

contract you have with the individual. Relying on consent means that the individual must have given clear,
explicit consent for you to process their personal data for a specific purpose. For children under the age of 13
you need to gain consent from whoever holds parental responsibility. You must be clear about which of the
lawful bases you are collecting and processing information under.
When you collect data you need to explain why you want the data, how long you will keep it for, that individuals can withdraw consent and that they can make a complaint to the ICO. You must also allow people
to see the data if they request it (and you can no longer charge for this).

Third Party Data Processors

You must have written agreements with any third party data processors and you must be able to clearly explain who they are (e.g. website hosting company, online learning journals, GCC etc.). You should know and have documented that they are GDPR compliant.
If you become aware of a data breach you must notify the ICO within 72 hours. They have the power to fine
you for breaches and the fines can be substantial.

What to do next?

Follow this 12 point step by step guide to help you prepare:
1. Choose someone to have responsibility for leading Data Protection within your setting. If you handle large amounts of personal data you may need to appoint a Data Protection Officer. This role has mandatory requirements so if you don't need to appoint one you may wish to give the appointed memberof staff a different title instead. For most settings an individual who takes the lead will be sufficient and could be called for example the Data Protection Lead. This should be a senior member of staff or if you are a Committee led group the Data Protection Lead can be a committee member.
2. Check if you are registered with the ICO and if necessary register now (there is a self audit on the website - see links below).
3. Do an audit of all the personal data that you hold. This will include parents, children and staff members.
4. Note down where the information came from, what you do with it and who you share it with. Use the sample Data Audit sheet attached to help you.
5. Use the data audit to create processes for your data collection/useage that are clear for staff to use.
6. Identify any third parties who have access to your data and make sure they have plans in place to be GDPR compliant. This could include your website supplier, the provider of any online learning journals etc.
7. Check your current terms and conditions and any privacy and consent notices. They must be very clear and easy to understand and it must be an opt-in system. You can no longer rely on a pre-ticked box.
You may need to send a consent message out. There is a sample one at the end of this document.
8. Check the paperwork that you will use in the future and make sure that it now includes an appropriate consent form.
9. Consider your statutory obligations regarding record keeping and make sure you have clearly documented why/under which obligation you are keeping records (e.g. safeguarding/accident records).
10. Make sure that all of your staff understand their obligations around data and the rights of people to access their records or have their records amended or deleted.

11. If you have a website make sure that you have a cookies notice which asks for consent for holding and
using personal data online.
12. Have clear procedures in place to detect, report and investigate a personal data breach.
We have produced a sample Data Audit form and a sample consent message for you to use - see attached.

In summary:
 Know your data - What is it, where is it from, where is it stored and what are you doing with it.
 Get consent - make sure you are clear about what you need the data for and how long you will keep it for.
 Have a process - think about what you will do if someone requests their data or the deletion of their data.
 Keep records - have clear documentation of the processes, consents etc. and be able to explain them.
 Make sure your staff are on-board - everyone has a duty.
 Report any breaches.

Useful

Types of Data
Personal data is any data that can be linked to a single person and which identifies them in some way. For example a name and personal email address and/or information such as phone numbers, bank details, addresses and date of birth.
The following is a list of types of data that you may hold in settings. It isn't exhaustive but may give you some ideas for your own setting.
 Visitor/child signing in
records
 Accident books
 Waiting lists/register of
interest
 Registration forms
 Session fees policy
acceptance forms
 Payment plans
 Session amendment
forms
 All about me books
 Child health/medication
forms
 NEF forms
 Staff CVs/application
forms
 Staff financial/payroll
information
 Staff supervisions/
disciplinary forms
 Staff Next of Kin forms
 Staff/volunteer DBS
information

 Staff health declarations/
return to work interviews

Sample Consent Message
We are currently updating our records to make sure that they comply with new data protection rules (the GDPR).
 We will only use your and your child's personal information to enable us to provide an early years education service to you.
 We will also use this information to keep in contact with you either by email, post or by Facebook.
 We will keep the information secure and will only share it as necessary and appropriate for funding purposes (e.g. to access 15 or 30 hours funding from Gloucester County Council) or if required by law (e.g. for safeguarding purposes).
 You have the right to ask us to view any information held and we will comply in accordance with the regulations.
By ticking this box you are consenting to us continuing to holding and processing your data and sending you information
Name: Signature:
You can ask us to delete any data held at any time and we will comply in accordance with our statutory obligations.
For more information please speak to who has
responsibility for data protection within our setting.

The lawful bases for processing
 Consent: the individual has given clear consent for you to process their personal data for a specific purpose
 Contract: the processing is necessary for a contract you have with the individual
 Legal obligation: the processing is necessary for you to comply with the law
 Vital interests: the processing is necessary for you to protect someone's life
 Public task: the processing is necessary for you to perform a task in the public interest or for your official functions
 Legitimate interests: the processing is necessary for your legitimate interests

This policy was adopted at a meeting of	St Christopher's Playgroup	name of setting
Held on	September 2026	(date)
Date to be reviewed	September 2027	(date)
Signed on behalf of the management committee	KJCookes	
Name of signatory	Karen Cookes	
Role of signatory (e.g. chair/owner)	Manager	