Aston University
Nursery & Pre-school

**Data Protection Policy**

At Aston we aim to strike a balance between obtaining the data required by Ofsted and required to provide a suitable level of care for the children and protecting the individual's privacy.

We aim to ensure that all parents and carers can share their information in the confidence that it will only be used to enhance the welfare of their children.

The guiding principles of this Policy are aligned to the seven principles set out in data protection law and are to ensure that Aston University Nursery will:

- process personal data lawfully in a fair and transparent manner;
- only collect and use personal data for specified, explicit, and legitimate purposes;
- minimise its use of personal data;
- ensure that personal data is accurate and kept up-to-date and corrected or deleted without delay when inaccurate;
- keep personal data in an identifiable form only for as long as necessary to fulfil the purposes for which the University collected it;
- keep personal data secure using appropriate technical and organisational measures against unauthorised or unlawful processing, and against accidental loss, destruction, or damage by maximising the use of electronic data systems;
- maintain and destroy its records in a manner that allows it to manage its legal risks and comply with the law; and
- ensure all staff are suitably of aware of their responsibilities under data protection law and will maintain expert resources to provide the necessary instructions and advice to staff.

**The Right to Be Informed**

Aston University Nursery is registered as a childcare provider with Ofsted and as such is required to obtain and manage certain data. This includes children's full names, addresses, date of birth, and copies of birth certificate.

We are required to collect certain details about visitors as part of our Health and Safety Policy and Safeguarding Policy.

As an employer, Aston University is required to hold a certain level of data about its employees on site for inspection by [OFSTED or the Local Authority] at any time. This includes name, addresses, Date of Birth, Training Records, DBS details and any performance related concerns including basic details of performance management or disciplinary procedures.

We collect data from families that enquire about Nursery places in order to process their enquiry. The information we collect is kept to a minimum and unless the family requests to be added to the waiting list the information will be destroyed. If a parent requests to be added to the waiting list the enquiry form held until a place has been allocated and accepted or until the we are informed that the place is no longer required. We will contact families from the waiting list after a period of 2mths after their requested start date to confirm if they wish to remain on the waiting list.

**Storage**

Information is stored in two ways, paper form and on the secure nursery operational systems. Individuals are requested to provide information on paper registration forms and Profile documents to allow us to provide the appropriate level of care for their child. The paper copies are stored in individual files within a locked filing cabinet within the Nursery Office. Parents and carers are made aware at the point of enquiry or registration that the information provided will be transferred to the nursery operational system run by Famly.

The Nursery Manager is able to restrict the type of data visible to staff. Only the senior management team and the Nursery Administrator will have full access to the all records held. The rest of the staff team will be unable to access Famly for the information required to meet children's needs on a day-to-day basis. This systems are used to record daily information about the children for sharing with their parents and for recording observations and achievements as part of a child's learning journey. (See Nursery Software and IPad Policy for more information)

Additional information may be added during the child's time at the nursery, including records of accidents, medication, financial funding, special educational needs and any safeguarding concerns. This includes any updated information provided by the parent.

If any parent/Guardian wishes to view their child's file they must put the request in writing to the Nursery Manager. This will be considered on a case by case basis, but wherever possible this information will be provided without delay. In certain cases it may be necessary to remove information prior to viewing, such as documents that may be held as part of our Child Protection or Safeguarding Procedures.

**Sensitive Data**

The nursery may come into contact with sensitive data regarding children and their families. This may be provided by the parent/carer themselves or other professionals involved in the child's care or wellbeing. This information will only be recorded and documented on the direct permission of the parent or if it is deemed to be necessary to maintain the safety and wellbeing of the child. Such information will be treated on a 'need to know' basis and therefore will only be accessible to designated members of staff, i.e. the Nursery Manager, Designated Safeguarding Lead or Special Educational Needs Coordinator.

**Visual Images**

Visual images of the children are taken and used on a daily basis as a method of observation to record children's learning and achievements. These are taken using the nursery iPads (see iPad policy) and uploaded to the individual's online learning journey. These images may also be used throughout the nursery for displays to celebrate the child's achievements. Parents provide consent for such use of images prior to the child starting, however may withdraw their consent at any time. In addition parents are also provided with the option of consent in or not to their children's appearing in images on another child's learning journey. These wishes are upheld at all times. Separate consent is gained for photographic images to be used for marketing such as the nursery website, leaflets or banners. Parents have the right to request sight of these images before use.

All iPads, laptops are password protected and staff users have unique passwords. The nursery uses designated computer drives with restricted access to restrict the persons able to access certain information.

**Data Sharing**

Data will be shared in the following circumstances:

- During an Ofsted inspection upon request of the inspector.
- To claim funding for children who are accessing the EEE entitlement
- Parent's names and contact details will be shared for the purpose of setting up the financial account with Aston University.
- With local authority safeguarding teams in the case of concerns or information regarding the child's wellbeing.
- With Public Health England for the purpose of managing an outbreak of contagious illness.
- With the area senco team to support the health and development of the child (permission sought)
- Fee information with HM Revenue and Customs upon request.
- Any college or provider that may be providing funding for the nursery place.

This will always be done in the most appropriate way possible for the information that is being shared. Wherever possible we will make use of the secure email systems made available by Birmingham local authority or the area senco team.

**Check Accuracy of Data**

Aston University Nursery aims to keep the data it holds up to date. In order to do this we ask our employees and parents to inform us of any changes to their personal information as soon as possible. We also send out bi-annual checks for the data we hold to be checked and verified by the individual.

**Clear Desk/Screen**

In order to protect the data that we hold employees of Aston University Nursery and Preschool are required to:

- Operate a clear desk policy and ensure that all data items will be locked away as appropriate when not being used.
- Will ensure that they are aware of where they are working and who else is present when deciding whether to access personal data.
- Computer screens will be locked whenever an employee moves away from the area and must be logged off following use.
- Staff will never share their login details and will ensure that they do not record passwords in any method that could be accessed by someone else.
- Electronic documents will be saved within the appropriate drives on the computer to restrict access to those who do not require sight of the information. Documents of a particular sensitive nature will also be password protected.
- Care will be taken to ensure that any confidential data printed will not be left on printers.

**Working off site**

It is accepted that staff may take laptops off site or login to emails off site. If choosing to do so staff must abide by the following:

- Equipment and media must not be left unattended in public places and not left in sight in a car.
- Laptop encryption is in place and secured by Aston University IT department.
- Staff must ensure that they take every precaution to ensure that whilst carrying out work at home to maintain confidentiality and abide by the data protection procedures set out in this policy.
- If staff use personal equipment when working from home they must ensure that it has an appropriate level of security before accessing any of the nursery software.

**Actions upon Termination of Contract**

Upon leaving the nursery staff must return any items belonging to the nursery or university. Aston University IT department will disable the necessary university passwords and access. The nursery management will remove access from Famly.

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**Retention of Data**

Aston University Nursery will ensure that information is not retained for longer than is necessary. (See appendix 1) When the data is no longer required it will be reviewed and deleted using Aston University Confidential Waste Procedures.

This policy should be read in conjunction with Aston University's Privacy Policy which can be accessed by using the following link. Data Protection | Aston University

Internal use only

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| **This policy was adopted on** | May 22 |
| **Signed on behalf of the nursery** | |
| **Date disseminated to staff** | |
| **Date for review** | May 23 |