

## Data Protection

Stepping Stones Nursery School collects and uses personal information about staff, pupils, parents and other individuals who come into contact with the school. This information is gathered in order to enable it to provide education and other associated functions. In addition, there may be a legal requirement to collect and use information to ensure that the school complies with its statutory obligations.

Personal information is any information that relates to a living individual who can be identified from the information. This includes any expression of opinion about an individual and intentions towards an individual. It also applies to personal data held visually in photographs or video clips or as sound recordings.

Nursery Schools have a duty to be registered, as Data Controllers, with the Information Commissioner's Office (ICO) detailing the information held and its use. These details are then available on the ICO's website. Nursery Schools also have a duty to issue a Fair Processing Notice to all pupils/parents. This notice summarises the information held on pupils, why it is held and the other parties to whom it may be passed on.

### Purpose

This policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with the 1998 Data Protection Act and The General Data Protection Regulation (GDPR), and other related legislation. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically.

All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by adhering to these guidelines.

### The Data Controller and the Designated Data Controllers

The Nursery School as a body corporate is the Data Controller under the 1998 Act, and the Trustees are therefore ultimately responsible for implementation. However, the Designated Data Controllers will deal with day to day matters.

The School has two Designated Data Controllers: They are the Manager and the Deputy Manager

### Legal Requirements

#### Registration







- Only authorised staff are allowed to make external disclosures of personal data. Data used within Stepping Stones nursery school by administrative staff and teaching staff will only be made available where the person requesting the information is a professional legitimately working within the Nursery who needs to know the information in order to do their work. Stepping Stones Nursery School will not disclose anything on pupils' records which would be likely to cause serious harm to their physical or mental health or that of anyone else.

A "legal disclosure" is the release of personal information from the computer to someone who requires the information to do his or her job within or for the school, provided that the purpose of that information has been registered.

An "illegal disclosure" is the release of information to someone who does not need it, or has no right to it, or one which falls outside the Nursery's' registered purposes.

## Responsibilities of Staff

All staff are responsible for:

- Checking that any information that they provide to the nursery in connection with their employment is accurate and up to date
- Informing the nursery of any changes to information that they have provided, e.g. change of address, either at the time of appointment or subsequently
- The Nursery cannot be held responsible for any errors unless the staff member has informed the nursery of such changes.
- If and when, as part of their responsibilities, staff collect information about other people (e.g. about a pupil's opinions about ability, references to other academic institutions, or details of personal circumstances), they must comply with the guidelines for staff set out in the Nursery's Data Protection policy.
- Changing personal passwords on a monthly basis

## Data Security

All staff are responsible for ensuring that:

- Any personal data that they hold is kept securely





## Subject Consent

In many cases, Stepping Stones Nursery School can only process personal data with the consent of the individual.

In some cases, if the data is sensitive, as defined in the 1998 Data Protection Act and the General Data Protection Regulation, express consent must be obtained. Agreement to Stepping Stones nursery School processing some specified classes of personal data is a condition of acceptance of employment for staff. This included information about previous criminal convictions.

Jobs will bring the applicants into contact with children. Stepping Stones Nursery School has a duty under the Children Act 1989 and other enactments to ensure that staff are suitable for the job.

The School has a duty of care to all staff and students and must therefore make sure that employee's and those who use Nursery School facilities do not pose a threat or danger to other users.

Stepping Stones Nursery School may also ask for information about particular health needs, such as allergies to particular forms of medication, or any medical condition such as asthma or diabetes. The School will only use this information in the protection of the health and safety of the individual, but will need consent to process this data in the event of a medical emergency, for example.

## Processing Sensitive Information

Sometimes it is necessary to process information about a person's health, criminal convictions, or race. This may be to ensure that the School is a safe place for everyone, or to operate other Nursery policies.

Because this information is considered sensitive under the 1998 Data Protection Act and General Data Protection Regulation, staff (and pupils where appropriate) will be asked to give their express consent for the School to process this data. An offer of employment may be withdrawn if an individual refuses to consent to this without good reason.

## Publication of Nursery Information

Certain items of information relating to nursery staff will be made available via searchable directories on the public Web site, in order to meet the legitimate needs of researchers, visitors and enquirers seeking to make contact with the nursery.







The nursery has a duty to retain some staff and pupil personal data for a period of time following their departure from the Nursery, mainly for legal reasons, but also for other purposes such as being able to provide references or academic transcripts. Different categories of data will be retained for different periods of time.

## Complaints

Complaints about the above procedure should be made to the nursery under its Complaints Policy. If the complaint is not resolved satisfactorily once this procedure has been followed the complaint may then be dealt with by the Information Commissioner. Contact details of both will be provided with the disclosure information.

## Contacts

If you have any enquires in relation to this policy, please contact the Nursery Manager who will also act as the contact point for any subject access requests.

Further advice and information is available from the Information Commissioner's Office at: [www.ico.gov.uk](http://www.ico.gov.uk)

## Conclusion

Compliance with the 1998 Act and the General Data Protection Regulation is the responsibility of all members of the School. Any deliberate breach of the Data Protection Policy may lead to disciplinary action being taken, or even to a criminal prosecution

