

Nurseries Policies

Sussex House Nursery and Wendy House Nursery

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Ofsted No. EY231358

Introduction

Brighton & Sussex University Hospitals NHS Trust nurseries collect and use information about children, families, staff, students or others that come into contact with our nurseries.

The information which is gathered is to enable us to operate our service within Brighton & Sussex University Hospitals NHS Trust and to meet the legal obligations with the Foundation Stage Statutory Framework, Ofsted, and Local Education Authority.

The purpose of this policy is to ensure that personal information is handled and stored correctly and securely and in accordance with the General Data Protection Regulation (GDPR) which comes into force on the 25th May 2018.

General Data Protection Regulation (GDPR)

The General Data Protection Regulation covers the management and control of personal information.

GDPR will replace the Data protection Act 1998 and the Privacy & Electronic Communications Regulation 2003 and will increase the obligations that companies have regarding the personal data they hold and the rights of individuals.

Definition of Personal Data

This is data which enables a person to identify another by:

- Name
- Postal address
- Telephone numbers
- Bank accounts and other personal financial accounts
- Photographs
- Health documents

Principles of Policy:

In accordance with the GDPR it is BSUH Nurseries responsibility to ensure that all data processed must be lawful, fair and transparent;

- Collected for specified, explicit and legitimate purposes
- Minimal – adequate, relevant and limited to those which are necessary
- Information is accurate and kept up to date
- Stored for no longer than necessary and kept secure

Information Held By BSUH Nurseries

In order to comply with the regulatory framework and inspectorates across the UK there is a large amount of data that needs to be maintained within the premises or archived within Brighton and Sussex University Hospitals NHS Trust sites. Therefore some legal obligations stated within the EYFS Framework or Childcare Registration will override that stated within the GDPR and therefore do not need the consent to collect certain data from parents and children.

Documentation held relating to a child:

- Names and addresses of children, parents and carers
- Contact Details of parent, carers and emergency contacts
- Copies of Birth certificates or birth certificate/passport numbers
- Medical conditions
- Details of GP, Health Visitor, Social Worker or other health professionals
- Developmental records
- SEND information and plans
- Religious and Cultural beliefs
- Dietary Requirements
- Funding records i.e. EY Entitlement for 2, 3-4 years 15 & 30hrs free childcare
- Child Protection and Safeguarding Records
- Court Orders relating to the child
- Fee information to secure the child's place in the nursery

Documentation held relating to an employee, student or volunteer:

- Name and address
- Persons to contact in emergency i.e. unwell or accident at work
- DBS information
- Appraisals, supervisions, management plans including competency concerns or disciplinary records
- Sickness information
- Payroll information for example Maternity forms, changes of contract
- Local Authority Professional Profile Forms, CV details

The nurseries use this information for:

- Day to day provision of childcare
- Administration of service e.g. contractual and payment arrangement's
- Staff information, HR, Payroll, Safeguarding, CPD
- To be compliant with the Childcare Register

Storage of Information:

The nurseries collates and stores information either paper form or electronically.

All paper copies of personal information i.e. contractual forms, admission information, family information and child protection/safeguarding documents are stored in locked filing cabinets in the office (later archived at Downsmere, PRH). Children's Learning Journals are kept with a cupboard in the playroom.

Information can be accessed by management and appropriate staff and, parents or carers on request.

Information such as payroll, nursery fees and staff HR information are stored electronically with all computers password connected. Computer shared drives are of approved management names only.

Disclosing of Information Held

BSUH Nurseries disclose data held to the following parties:

- Parents and carers on request
- Health and Social Care Professionals and Police
- Local Education Authority (example B&HCC, WSCC, ESCC)
- Local Safeguarding Children's Board (LSCB)
- HM Revenue and Customs
- Ofsted

Safeguarding

In the event of a child protection concern the information about a child and their family may be shared with the relevant agencies without consent.

The Local Safeguarding Board states that information relating to any abuse including the risk of being drawn into extreme (Prevent Duty); concerns of sexual abuse including Female Genital Mutilation must be reported without informing the parent.

Data Protection Officer (DPO)

It is a requirement of the GDPR to have assigned a Data Protection Officer. In the case of Brighton & Sussex University Hospitals NHS Trust organisation Mr Martin Gibson (Deputy Group Head of Information Governance / Data Protection Officer) has been appointed however it is the responsibility of the Childcare Service Manager to ensure all relevant and compliant information is archived. The Wendy House and Sussex House Nursery Manager's will ensure that information for the daily operation of the service is stored correctly.

Breach of Data

All electronic data is stored on I.T. equipment which is the property of Brighton and Sussex University Hospitals NHS Trust. The use of computers, laptops and USB sticks are password protected and have suitable secure software.

Personal files should not be removed from the premises unless archived, for purposes of Local Authority of Multi-Agency meetings or HR meetings if related to an employee. Accidental loss, destroying or sharing data without authorisation may be deemed a breach of protection and therefore must be reported to Mr Martin Gibson (DPO) on 01444 441881 or email Martin.Gibson@bsuh.nhs.uk or the 'Information Commissioners Office' (helpline on 0303 123 1113).

Data Retention

BSUH Nurseries holds a great deal of information much of which is confidential. The following retention schedule is in operation in both nurseries and when appropriate are archived. Timescales are based on Government, Ofsted and EYFS Framework requirements.

Children Information	Developmental Records	3 – 6 months after last day of attendance
	Admission Records Contractual Agreements Family Correspondence	Archive 5 yrs. after last day of attendance
	Feedback sheets and sleep charts	6 months unless stored in individual file if there is a concern
	Child Registers	2yr. unless stored in individual file if there is a concern. Electronic records of playroom allocations up to 5yrs.
Child protection and Safeguarding Information	Chronology of Significant Events Parental Responsibility Documents Court Orders Accident/Incident forms of concern	Current year plus 21 yrs. Archived once child leaves setting
	Concerns of an employee, volunteer behaviour	stored until retirement age or 10 years if longer
Personnel	Staff Files (application, appraisals)	6 years after employment ceases (archived)
	Staff Training Records	Within inspection cycle 3-4yrs
	Peer and Management observations	Within inspection cycle 3-4yrs
Business Records	Registration / Insurance Forms	Insurance Liability doc 40 yrs.
	Fees and Payroll Information	7 yrs. for HMRC records
	Early Years 2 yr. and 3-4 years Free Entitlement (funded 15 / 30hrs)	TBC by the Local Education Authority
	Accident, Incident, Medication Forms	3-4 yrs. from last inspection
	Warranty and Guarantees	5-10 yrs. dependent on T&C
	Complaints log	5 yrs.
	Food Safety records, cleaning audits	1 yr. or until next EH inspection
	Health & Safety Risk Assessments	1yr. Daily Risk Assessment Audits and Main Risk Assessments 3-4 yrs. from last inspection
	Curriculum Planning (individual & Group)	Within inspection cycle 3-4yrs

Reviewed 25th February 2020

Mrs Tracey Gregory, Brighton & Sussex University Hospitals Childcare Services Manager

Reviewed and Written 15th May 2018

Mrs Tracey Gregory, Brighton & Sussex University Hospitals Childcare Services Manager