**EYE OPPORTUNITY GROUP**

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**Registered Charity Number 287907**

**Data Protection and Confidentiality Policy**

1. **General Statement of Policy**

Eye Opportunity Group (EOG) is committed to protecting the rights and freedom of individuals by ensuring that any personal data held about our employees, service users (children and their families/carers) and visitors to the setting is managed in accordance with data protection laws.

This policy and related guidance will be monitored by the Management Committee on a regular basis for compliance and will be reviewed annually.

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| **Date approved or amended** | **Signed** |
| 14 February 2024 | Laura Chapman |
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1. **The General Data Protection Regulation**

The General Data Protection Regulation (GDPR) replaced the Data Protection Act and came into effect on 25 May 2018.

GDPR states that personal data should be ‘processed fairly and lawfully’, ‘collected for specified, explicit and legitimate purposes’ and that the individuals’ data is not processed without their ‘explicit consent’.

1. **GDPR rights**

GDPR covers personal data relating to individuals and specifies 7 rights for individuals:

* 1. **The right to be informed**

EOG is required to collect and manage certain data. We need to know parents’/carers’ names, addresses, telephone numbers and email address. We need to know children’s full names, addresses and dates of birth. We are required to collect certain details of visitors to our pre-school. We need to know names and company name (if applicable). This is in line with our Health and Safety and Safeguarding policies.

EOG is required to hold employees’ and Committee Members’ personal data; names, addresses, telephone numbers, dates of birth, bank details (for employees only), National Insurance numbers (for employees only) and photographic identification, such as a passport or driving licence. This information is also required for the Disclosure and Barring Service checks (DBS) that are carried out and to check proof of eligibility to work in the United Kingdom. This information is sent via a secure file transfer system, to the processor of the DBS checks.

EOG uses cookies on its website. This data is anonymous.

* 1. **The right to access**

At any point, an individual can make a request relating to their data. EOG will need to provide a response to any requests within one month. EOG can refuse a request, if there is a lawful obligation to retain the data. We will always inform the individual of the reasons for rejection. The individual has the right to complain to the ICO if they are unhappy with the decision.

* 1. **The right to erasure**

Individuals have the right to request deletion of their data, where there is no compelling reason for its continued use. However, EOG has a legal duty to retain children’s and parents’/carers’ details for a reasonable amount of time. EOG is required by law to retain children’s and parents’/carers’ records for 3 years after the child has stopped attending the group. Accident and injury records must be kept until the child reaches the age of 21. Child protection records and records relating to safeguarding concerns must be retained until the child reaches the age of 24. Employee records must be kept for six years after employment ceases. All of the data that we retain is archived securely, in a locked cupboard. It is then shredded after the legal retention period.

* 1. **The right to restrict processing**

In certain circumstances, such as where it is thought that the personal data EOG holds is inaccurate or has been processed unlawfully, parents/carers, visitors and employees may object to EOG processing their data. This means that records can be stored, but must not be used in any way.

* 1. **The right to share data**

EOG may require some data to be shared with third parties, such as; the Local Authority and Payroll. These recipients use secure, file transfer systems and have their own policies and procedures in place in relation to GDPR.

* 1. **The right to object**

Parents/carers, visitors and employees can object to their data being used for certain activities, such as marketing or research.

* 1. **The right to not be subject to automated decision-making, including profiling**

EOG does not use personal data for such purposes.

1. **Storage and use of personal information**

All paper copies of children’s and employees’ records are kept securely in a locked cupboard on EOG’s premises. The Manager has access to all records, with employees having limited access on a need-to-know basis at the discretion of the Manager. The Chairperson has access to employee records, but not to children’s records unless the Manager deems it necessary to escalate a concern.

Electronic records are backed up on a weekly basis and can only be accessed by the Manager. These records are password protected.

All paper records are kept on site at all times. Archived records are shredded after the retention period.

In order to fulfil their roles supervising and supporting the operations of the setting, the Chairperson, Treasurer, Secretary and other nominated members of the Management Committee may at times also access confidential information, such as employees’ personal data.

All information held, both on paper and digitally, will be kept confidential. Information may be shared with external agencies with consent of the parents/carers. In exceptional circumstances, information may be shared without consent, such as with the police or local Safeguarding Partnership, if EOG is unable to, cannot be reasonably expected to gain consent from the individual, or if to gain consent could place a child at risk.

Upon a child leaving EOG and moving on to school, personal data held on the child may be shared with the receiving school with parental consent. Similarly, information might be shared with parental consent with other early years settings or external agencies if it is deemed to be in the interests of supporting that child’s development. Any personal data will either be given directly to the parents in paper form, or will be password protected.

It is the parents’/carers’ responsibility to ensure that the information given to us in the registration forms, are correct and kept up-to-date.

Under GDPR, EOG must:

* Manage and process personal data properly.
* Protect the individual’s rights to privacy.
* Provide individuals with access to all personal data that is held on them if requested.

This process is overseen by our Manager, who can be contacted with any queries or concerns on tel: 01379 870975; email: [eyeopportunitygroup@btconnect.com](mailto:eyeopportunitygroup@btconnect.com)