



General Data Protection Regulation Policy and Procedure

What is GDPR?

GDPR stands for General Data Protection Regulation. It's an EU law that is set to replace the Data Protection Act (DPA) which was introduced in 1998. Both laws are all about how organisations can hold and process an individual's personal data, but the GDPR is updated for the digital age.

The GDPR came into effect on 25th May 2018 and it applies to anyone who collects or processes the personal data of EU citizens. As a small business we collect such data and therefore are responsible for ensuring that we comply with the legislation.

Under the GDPR personal data now applies to both automated personal data and physical, manual filing where the data can be sorted and accessed.

Details Of Our Organisation

Adams Fothergill Ltd t/a Fizzy Fish and Fizzy Fish Pre School
21 Tudor Close
Hove
BN3 7NR
Company Number 09653916

Lead Data Protection Controllers

Lou Adams
Karen Fothergill
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Deputy Data Protection Controllers

Kirstie Salmon
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Privacy Notice

We take the responsibility to hold your personal data in compliance with the GDPR very seriously. This policy explains how your personal data is collected and used, how it is stored securely and how long it is kept for. It also includes details about how you can complain if you think that we have not complied with our legal responsibilities.

Information Held and Why

We hold the following personal data, which is a legal requirement for all children/families at Fizzy Fish:

- **Child information:**

- Full name

- Date of birth

- A written record of accidents or injuries and first aid treatment

- A written record each time a medicine is administered to a child

- Information about any special dietary requirements, preferences and food allergies that the child has, and any special health requirements.

- Medical requirements for a child

- **Parent/carer information:**

- Name and address of every parent and/or carer who is known to the provider (and information about any other person who has parental responsibility for the child);

- Which parent(s) and/or carer(s) the child normally lives with

- Emergency contact details for parents/ carers

- Parent's date of birth and NI numbers for funding claims

The above information will be stored either electronically on our password protected computer and/or as a hard copy on a child's file.

We also hold other information including:

- Digital images

- Hard copies of photos

How Is Information Stored?

Our hard copy data is stored in filing cabinets that are lockable. Personal data stored on computers are password protected.

Where Do We Obtain Information From?

Information will be received from parents, outside agencies or the local authority. Digital images are obtained from parents or are taken by staff at the setting.

How Do We Ensure Information Is Kept Private?

Sensitive data is password protected or locked away in cabinets. Staff can access for example contact telephone numbers and emails so that parents/carers can be contacted throughout the day.

Who Do We Share The Data With?

We may share this information with the local authority, for example NI numbers and DOBs for parents so we can access funding for their children, or if we need to report a safeguarding incident to Front Door For Families. They will ask for personal details of parents/carers including names, addresses, telephone numbers and email addresses.

How Do We Use The Information?

We use a child's information to ensure that the needs of every child are met, including their physical and emotional well-being and development.

We use parent information for communication, to verify funding entitlements and billing. We do not pass parent information on to other companies or people unless we are under a legal obligation to do so, for example when making a Safeguarding Referral to Front Door For Families.

How Long Do We Keep Information For?

We comply with the statutory limitation periods for holding information.

With reference to photographs as soon as we have uploaded photographs on to Tapestry we will delete them from our iPads. When your child leaves Fizzy Fish we will send you a PDF of their Learning Journal and then their profile will be deleted from our Tapestry account. Please ensure you save the PDF as the Learning Journal cannot be recovered when a child's profile has been deleted.

The Right To Obtain Information

Under the GDPR, parents have the right to access the information that we hold and confirmation that the data is being processed in the first place. We have an information audit of exactly what we hold on parents/children so we can provide the information if we are asked to do so. We will fulfil a Subject Access Request if you require information about the data we hold on you. This could be all the data or

specific data that you require. Please contact us at info@fizzyfishhove.co.uk if you have a request for us to carry out a Subject Access Request.

Inaccurate Data

Individuals now have a right to have personal data corrected if it is inaccurate. If your details have changed and we have shared any data with third parties, it is our responsibility to inform these third parties of the correction(s). If your personal details change, for example you change your name, address or email address, then it is your responsibility to inform us by email at info@fizzyfishhove.co.uk.

Complaints

Please note that you have a right to complain to the ICO if you have a concern with how we are handling your data. In the first instance we invite parents to follow our complaints procedure and if after investigations you still consider us to be in breach of our legal obligations then you can contact the ICO on 0303 123 1113

Right To Object

Article 21 of the GDPR gives individuals the right to object to the processing of their personal data. The right to object applies in certain circumstances but you cannot object if data is legally required to be held by an organisation.

If you object to the processing of data you must give a specific reason for the objection.

If we receive an objection from you then we will look at why we are processing the data and inform you of the outcome. If we can demonstrate compelling legitimate grounds for the processing, which override the interests, rights and freedoms of an individual or, the processing of your data relates to a legal claim, then we can continue to hold the data.

Consent From Parents/Carers

A requirement under the GDPR is to obtain consent for data that is not considered to be obtained under a legal requirement. Certain information is held as a legitimate interest but you are required to complete the following consent to 'opt in' to the consent for all parents/carers to hold data. We would therefore ask that you complete the following statement and sign and return it to us.

I consent to Adams Fothergill Ltd to hold:

Child's Data (Full Name) :

Digital images	tick box	<input type="checkbox"/>
Religion	tick box	<input type="checkbox"/>
Transfer to school or another setting report	tick box	<input type="checkbox"/>
Emergency contacts	tick box	<input type="checkbox"/>

Please confirm that you have gained the consent of the third party emergency contacts and that we can hold their personal data on our file, by initialling next to the tick box

Hard copies of photos	tick box	<input type="checkbox"/>
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Parent's Data (Full Name) :

Digital images	tick box	<input type="checkbox"/>
Hard copies of photos	tick box	<input type="checkbox"/>
Hard copies of family photos	tick box	<input type="checkbox"/>

Signed.....

Name

Dated.....

Withdrawing Consent

You have the right to withdraw your consent for data that is not considered to be obtained under a legal requirement. Certain information is held as a legitimate interest but you are required to complete the following consent to 'opt out' to the consent. If you wish to do this then please complete and sign the following statement:

I would like to withdraw my consent for Adams Fothergill Ltd to hold:

Child's data (full name) :

Digital images tick box ☐

Religion tick box ☐

Transfer to school or
another setting report tick box ☐

Emergency contacts tick box ☐

Hard copies of photos tick box ☐

Parent's data (full name) :

Digital images tick box ☐

Hard copies of photos tick box ☐

Hard copies of family photos tick box ☐

Signed.....

Name

Dated.....