

This policy will be reviewed in full by the Senior Leadership Team on an annual basis.

Date the policy was last reviewed and agreed	SLT		SLT	
	Name	Signature	Name	Signature
January 2026	Natasha			

This policy is due for review up to 12 months from the above date

Privacy, Data Protection & Retention Periods Policy, GDPR

Legal Basis: Related Sub Section in The Statutory Framework for The Early Years Foundation Stage (March 2021)

Information and records

3.69. Providers must maintain records and obtain and share information (with parents and carers, other professionals working with the child, the police, social services and Ofsted or the childminder agency with which they are registered, as appropriate) to ensure the safe and efficient management of the setting, and to help ensure the needs of all children are met. Providers must enable a regular two-way flow of information with parents and/or carers, and between providers, if a child is attending more than one setting. If requested, providers should incorporate parents' and/or carers' comments into children's records.

3.70. Records must be easily accessible and available (these may be kept securely off the premises). Confidential information and records about staff and children must be held securely and only accessible and available to those who have a right or professional need to see them. Providers must be aware of their responsibilities under the Data Protection Legislation and where relevant the Freedom of Information Act 2000.

3.71. Providers must ensure that all staff understand the need to protect the privacy of the children in their care as well the legal requirements that exist to ensure that information relating to the child is handled in a way that ensures confidentiality. Parents and/or carers must be given access to all records about their child, provided that no relevant exemptions apply to their disclosure under the Data Protection Act.

3.72. Records relating to individual children must be retained for a reasonable period of time after they have left the provision.

1 INTRODUCTION

In order to provide an appropriate level of care and education to the children and families who attend our preschool, we are required to collect and retain personal and sensitive data about children, families, and staff. We take great care to ensure that only necessary data is collected, that all data is stored safely and securely, and that only authorised people have access to it. Please note that, throughout this policy, 'your data' includes child's, parent's, family's, and employee's personal data.

2 TYPES OF DATA WE COLLECT

We collect and store a range of personal data in order to provide suitable care and education for the children who attend, in order to manage staff appropriately, and in order to safeguard children and staff.

The personal data we may collect include:

- Full name and personal details including contact details (e.g. address, phone number, email address)
- Date of Birth (e.g. to make sure that children are eligible to attend, to assess their progress accurately, to apply for funding)
- Medical and Developmental Information (e.g. allergy information, medical conditions that will need to be managed at preschool, additional needs that will need to be supported)
- Details of Other Settings or Services Accessed (e.g. childminders or day nurseries so that we can share assessment information, Speech and Language)
- Details of Criminal Convictions (e.g. to vet staff and ensure suitability to work with children)
- Bank Details (e.g. to pay salaries, to process refunds, pay rent)

3 PROVIDING PERSONAL DATA

We'll make it clear if providing personal data is optional. In all other cases personal data must be provided so that we can provide a place for a child or employ staff.

4 USING PERSONAL DATA: THE LEGAL BASIS AND PURPOSE

We process personal data:

1. As necessary to perform our contract with individuals
 - a. To manage and perform that contract (e.g. employment, lease)
 - b. To update our records
2. To comply with our legal obligations
 - a. To safeguard children
 - b. To meet statutory obligations
3. For our own legitimate interests
 - a. For raising standards of care and education
 - b. For managing and auditing our business operations
 - c. For market research, analysis, and developing statistics

5 SHARING DATA

Subject to applicable data protection law, we may share your data with:

- Children's Centres
- Other Schools/Early Years Providers
- Hertfordshire County Council
- Children's Services
- Medical or Educational Professionals
- The Government
- HMRC

6 RIGHTS UNDER APPLICABLE DATA PROTECTION LAW

GDPR provides the following rights for individuals:

- The right to be informed about our processing of their data
- The right to request access to their personal data and information and about how we process it
- The right to have their data corrected if inaccurate or completed if incomplete
- The right to erasure (the right to be forgotten)
- The right to restrict processing of their personal data
- The right to move, copy, or transfer their data
- The right to object to the processing of their personal data
- Rights in relation to automated decision making and profiling

7 DATA RETENTION

We retain personal data as long as it is necessary, while an individual has a connection to the preschool. After this point, we may retain some data in accordance with legal and regulatory requirements.

Children's records	Retention period	Status	Authority
Children's records - including registers, medication record books and accident record books pertaining to the children	1 year after the child has left the setting A reasonable period of time after children have left the provision individual providers should determine how long to retain records relating to individual children.	Preschool Policy Requirement	Statutory Framework for the Early Years Foundation Stage 2017 (given legal force by Childcare Act 2006)
SEND & Safeguarding Children's records - including registers, medication record books and accident record books pertaining to the children	Until the child reaches the age of 21 - or until the child reaches the age of 24 for child protection, SEND records and health care plans. Records in relation to safeguarding concerns will also need to be kept in accordance with the Local Safeguarding Children Board's requirements	Recommendation	Limitation Act 1980 Normal limitation rules (which mean that an individual can claim for negligently caused personal injury up to 3 years after, or deliberately caused personal injury up to 6 years after the event) are postponed until a child reaches 18 years of age
Records of any reportable death, injury, disease or dangerous occurrence	3 years after the date the record was made	Requirement	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (as amended)
Personnel records	Retention period	Status	Authority
Application forms and interview notes for unsuccessful candidates	6 months to a year	Recommendation	Chartered Institute of Personnel and Development (CIPD)
Personnel files and training records (including disciplinary records and working time records)	6 years after employment ceases	Recommendation	CIPD
	Records of unfounded allegations of a child protection nature must be kept until the person's normal retirement age or 10 years after the date of the allegation; allegations found to be malicious must be removed from personnel files.	Requirement	Keeping Children Safe in Education, DfE 2016
DBS check information	Original DBS disclosures: a maximum of 6 months Providers must be able to show Ofsted they have kept a record of DBS disclosures and the DBS Code of Practice permits them to retain the following details: the date of issue of the certificate; the name	Recommendation	Disclosure and Barring Service/Ofsted

	of the subject; the type of certificate requested; the position for which the certificate was requested; the unique reference number; details of the recruitment decision taken.		
<i>Pay</i>			
Wage/salary records (including overtime, bonuses and expenses)	6 years	Requirement	Taxes Management Act 1970
Statutory Maternity Pay (SMP) records	3 years after the end of the tax year to which they relate	Requirement	The Statutory Maternity Pay (General) Regulations 1986
Parental leave records	5 years from the birth/adoption of the child or 18 years if the child receives a disability allowance	Recommendation	CIPD
Statutory Sick Pay (SSP) records	6 years after employment ends	Recommendation	CIPD
Income tax and National Insurance returns/records	At least 3 years after the end of the tax year to which they relate	Requirement	The Income Tax (Employments) Regulations 1993 (as amended)
Redundancy details, calculations of payments, refunds, notification to the Secretary of State	6 years after employment ends	Recommendation	CIPD
National Minimum Wage Records	3 years after the end of the pay reference period following the one that the records cover	Requirement	National Minimum Wage Act 1998
Pensions scheme and member records	6 years from the automatic enrolment staging date	Requirement	The Pensions Regulator
	12 years from the ending of any benefit payable under the policy	Recommendation	CIPD
<i>Health and Safety</i>			
Staff accident records (for organisations with 10 or more employees)	3 years after the date of the last entry in the book (separate rules govern the recording of accidents involving hazardous substances)	Requirement	Social Security (Claims and Payments) Regulations 1979
Records of any reportable death, injury, disease or dangerous occurrence	3 years after the date the record was made	Requirement	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (as amended)
Accident/medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH)	40 years from the date of the last entry	Requirement	The Control of Substances Hazardous to Health Regulations 2002 (COSHH)
Assessments under Health and Safety Regulations and records of consultations with safety representatives and committees	Permanently	Recommendation	CIPD
	For the life of the assessment plus 3 years	Recommendation	Information and Records Management Society (IRMS)

Financial records	Retention period	Status	Authority
Accounting records (e.g. cash books, invoices, receipts)	3 years from the end of the financial year for private and charitable companies,	Requirement	Companies Act 2006
Administration records	Retention period	Status	Authority
Employers' liability insurance records	For as long as possible	Recommendation	Health and Safety Executive
Visitors books/signing in sheets	The current year plus 6 years	Recommendation	IRMS
Policy documents	For the life of the policy/setting plus 3 years	Recommendation	IRMS
Complaints	At least 6 years after the date of resolution of the complaint	Recommendation	IRMS
Minutes/minute books	At least 10 years from the date of the meeting for companies	Requirement	Companies Act 2006
	Permanently	Recommendation	CIPD

STAFF DECLARATION

I agree that I have read and understood the information set out in this policy, and will abide by it.
I understand that if I have any questions about this policy, I will raise them with my manager prior to signing my agreement below.

Staff Name	Staff Signature	Date