

# Safeguarding

## GDPR



Laws have changed regarding the collection and retention of people's personal data. GDPR replaces the Data Protection Act 1998 and affects **all** businesses (including childminders) across the European Union. GDPR is designed to strengthen the way in which personal data is collected, processed, and stored. Personal data is data which can directly or indirectly identify a person. There are seven privacy principles to bear in mind when collecting data, these are:

- 1) You must have a lawful reason for collecting personal data and must do it in a fair and transparent way.
- 2) You must only use the data for the reason it was initially obtained.
- 3) You must not collect any more data than is necessary.
- 4) Data has to be accurate and there must be mechanisms in place to keep it up to date.
- 5) You cannot keep it any longer than needed.
- 6) You must protect the data.
- 7) You must be accountable for the data.

The governing body, the Information Commissioners Office have further information on their website <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>

## Task 1

Here are some suggested actions to help towards meeting the requirements of GDPR: -

(This list is not exhaustive)

Complete a data audit.

Include all personal data you collect from parents and staff. For example, children's records, registers, learning journeys, photos, accounts, staff records etc.

Think about why you collect this information and who you share it with. There is a legal obligation under the EYFS Statutory Framework regarding information about the child.

Compile a privacy notice.

This is to explain your lawful basis for processing their data. This could be added to your existing registration forms to explain why you are collecting this data and how it will be used.

Update your Data Protection policy.

To include information on data sharing, safe storage, and the individual's right to access and deletion if requested.

Finally, if you process any of your records electronically this includes photographs for children's learning journeys, you will need to notify the Information Commissioners Office (ICO).

## **Further reading:**

[Information sharing: advice for practitioners \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

Pacey – Everything you need to know.

<https://www.pacey.org.uk/working-in-childcare/spotlight-on/gdpr-everything-you-need-to-know/>

NDNA General Data Protection Regulation

[https://www.ndna.org.uk/NDNA/Need to know/UK Knowledge Hub/GDPR nurseries.aspx](https://www.ndna.org.uk/NDNA/Need%20to%20know/UK%20Knowledge%20Hub/GDPR%20nurseries.aspx)

Information Commissioners Office

<https://ico.org.uk/>