



# GDPR and Confidentiality Policy

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This policy outlines how Lypstone Preschool ensures compliance with the UK General Data Protection Regulation (UK GDPR), which came into effect on 25th May 2018, replacing the Data Protection Act 1998. It provides individuals with greater control over their personal data and places obligations on organisations that collect, store, and process it.

As part of our operation, we are required to collect, store, and sometimes share personal data relating to children, parents/carers, and staff. We take our responsibilities under the GDPR seriously and are committed to handling personal data lawfully, transparently, and securely.

## ICO Registration

Lypstone Preschool is registered with the Information Commissioner's Office (ICO) under registration number ZA349902, registered since 26<sup>th</sup> April 2018 and updated annually. A copy of our registration certificate is displayed in the Preschool entrance board for parents and carers to view.

## Principles of Data Protection

Under the UK GDPR, we must adhere to the seven key principles of data processing:

**Lawfulness, Fairness, and Transparency** - Personal data must be processed lawfully, fairly, and in a transparent manner.

**Purpose Limitation** - Data is collected for specified, explicit, and legitimate purposes and not further processed in a way incompatible with those purposes.

**Data Minimisation** - We only collect data that is adequate, relevant, and limited to what is necessary.

**Accuracy** - Data must be accurate and kept up to date.

**Storage Limitation** - Personal data will not be retained longer than necessary.

**Integrity and Confidentiality** - Personal data is processed securely to prevent unauthorised access, loss, or damage.

**Accountability** - The data controller is responsible for demonstrating compliance with these principles

## Individual Rights under the UK GDPR

All individuals have the following rights regarding their personal data:

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure ('right to be forgotten')
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision-making and profiling

## Data Controller and Data Processor Roles

As a childcare provider, Lypstone Preschool is the Data Controller. We determine the purposes and means of processing personal data.

We may share data with third-party services (e.g., local authorities, software systems), making them Data Processors. We ensure that any Data Processor we use is GDPR-compliant and bound by appropriate contractual obligations.

The Data protection officer for the setting is Katherine Billing

### **Lawful Basis for Processing Data**

We must have a lawful basis for processing personal data. The six lawful bases under the UK GDPR are:

- Consent – the individual has given clear permission.
- Contract – processing is necessary for a contract.
- Legal Obligation – necessary to comply with a legal requirement.
- Vital Interests – necessary to protect someone’s life.
- Public Task – carried out in the public interest or in the exercise of official authority.
- Legitimate Interests – necessary for legitimate interests (except where overridden by the individual’s rights).

For most data collected, including names, contact information, medical details, and attendance, our legal obligation under the Statutory Framework for the Early Years Foundation Stage is the lawful basis.

Where data processing is not mandatory (e.g., photographs), explicit consent is required. Consent is sought via a clear opt-in process and can be withdrawn at any time.

### **Privacy Notices**

We provide all staff and parents/carers with privacy notices explaining:

- What data we collect and why
- How data is stored and retained
- Who we may share data with and why
- Their rights under the UK GDPR
- How to raise concerns

These notices are updated regularly and issued at the point of data collection.

### **Data Retention**

We retain personal data only for as long as necessary and in line with statutory guidance and our internal Retention Policy. After the retention period, all data is securely disposed of. For more information regarding retention periods, please refer to the Retention policy.

### **Data Security**

We are committed to ensuring personal data is secure by:

- Storing paper records in locked cabinets
- Ensuring electronic records are password-protected
- Limiting access to data to authorised staff only
- Regularly updating and monitoring our cybersecurity measures
- Staff receive ongoing training in data security and are reminded of their confidentiality obligations

### **Data Breaches**

In the event of a personal data breach:

- The incident will be investigated promptly by the designated compliance leader.
- If the breach presents a risk to rights and freedoms, it will be reported to the ICO within 72 hours.
- Affected individuals will be informed when required.

- All breaches are documented, regardless of severity.

## **Confidentiality**

we are committed to ensuring that all children, families, and staff feel safe, respected, and valued. We understand that confidentiality is essential in building trust, supporting families, and maintaining a professional environment.

To uphold confidentiality at all times, we will:

- Ensure that parents/carers can access records relating to their own child only. Information about other children will never be shared.
- Require that staff do not discuss individual children or families with anyone other than the child's own parents/carers, unless necessary and with prior consent.
- Keep information shared by parents/carers confidential, and only pass it on with their consent, unless a safeguarding concern overrides this.
- Ensure that personnel matters (e.g. staff performance, grievances) remain confidential to those directly involved.
- Store any safeguarding concerns or evidence in a secure, confidential file, accessible only to the Designated Safeguarding Lead (DSL) and deputy DSL.
- Comply fully with the Data Protection Act 2018, General Data Protection Regulation (GDPR) 2018, and guidance from the Information Commissioner's Office (ICO).
- Ensure that any confidential information seen or heard by staff remains within the Preschool and is not shared externally.
- Ensure information and documents of a sensitive nature will remain on preschool premises and stored securely
- Anything discussed within a committee meeting is confidential. Published Minutes will not include highly confidential information.
- Any information held on staff will be stored in locked files in a locked room and will be accessed only by those with a legal right or professional need to see them. Consent will be obtained for access/storage of these documents. Consent can be withdrawn at any time unless our legal requirement to access this information overrides this.
- Require that children's abilities, behaviours, or needs are only discussed with the child's parents or involved professionals, with parental consent—unless safeguarding concerns apply.

## **Staff Expectations**

Confidentiality is a professional obligation. Staff who discuss a child or family outside the appropriate professional context may be subject to disciplinary action, up to and including dismissal. This includes sharing information with ex-employees.

Information may only be discussed as needed for:

- Curriculum planning
- Safeguarding
- Preschool management

Any staff discussions about children must be conducted respectfully and in private.

## **Sharing Information in Exceptional Circumstances**

While we strive to maintain confidentiality, there may be legal or safeguarding reasons that require us to share information without consent.

In such cases, information will be shared with relevant professionals on a strictly need-to-know basis and handled in a way that protects the welfare of the child and the integrity of all involved.

## Parents and Confidentiality

We kindly ask parents/carers not to discuss other children or families. Please consider how upsetting it would be to hear another parent talking about your child.

While parents/carers may choose to share personal information with other parents or staff, the Preschool cannot be held responsible if that information is shared beyond those individuals.

If you are facing difficulties, the Preschool Manager is available to offer confidential support and signpost to appropriate services.

This Policy was agreed by Lympstone Preschool Committee

Date: 27/08/2025

Last reviewed

Date: 11/03/2026