

# Data Protection, GDPR and Confidentiality Policy

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Lymestone Preschool is committed to complying fully with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. We recognise our responsibility to handle personal data in a lawful, fair and transparent manner at all times.

As part of our everyday practice, we collect, store and process personal information relating to children, parents and carers, staff, and committee members. We understand that this information is often sensitive and must be treated with the highest level of care and security.

This policy sets out how we manage personal data and maintain confidentiality throughout the setting. It should be read alongside our Safeguarding Policy and Retention Policy.

## ICO Registration

Lymestone Preschool is registered with the Information Commissioner's Office under registration number ZA349902. We have been registered since April 2018, and our registration is updated annually in line with ICO requirements.

A copy of our ICO registration certificate is displayed at the Preschool entrance for parents and carers to view.

## Data Protection Principles

We adhere to the seven key principles of data protection:

- **Lawfulness, fairness and transparency** – data is processed legally and openly
- **Purpose limitation** – data is collected for specific, legitimate purposes
- **Data minimisation** – only necessary data is collected
- **Accuracy** – data is kept accurate and up to date
- **Storage limitation** – data is retained only as long as necessary
- **Integrity and confidentiality** – data is stored securely
- **Accountability** – we are responsible for compliance and must evidence it

## Lawful Basis for Processing Data

We only process personal data where there is a valid lawful basis to do so. In most cases, this is due to a legal obligation placed upon us through the Statutory Framework for the EYFS and safeguarding requirements.

In some situations, data may be processed based on consent, for example when using photographs or marketing materials. Where consent is used, it is always obtained clearly and can be withdrawn at any time. We also process data where it is necessary for contractual purposes, public tasks, legitimate interests, or to protect someone's vital interests.

## Roles and Responsibilities

Lymestone Preschool acts as the Data Controller, meaning we determine how and why personal data is processed. In some circumstances, we may share data with external organisations such as local

authorities or software providers. These organisations act as Data Processors and are required to comply fully with UK GDPR regulations through formal agreements.

We also recognise the importance of clear leadership in this area, and responsibility for GDPR compliance sits with the designated GDPR lead within the setting.

### **Individual Rights**

We respect the rights of all individuals in relation to their personal data. This includes:

- Be informed
- Access their data (Subject Access Request)
- Rectify inaccurate data
- Erase data (where applicable)
- Restrict processing
- Data portability
- Object to processing
- Rights relating to automated decision-making

We will respond to Subject Access Requests within one calendar month

### **Privacy Notices**

We provide clear privacy notices to parents, carers, and staff explaining:

- What data is collected
- Why it is collected
- How it is used and stored
- Who it may be shared with
- Retention periods
- Individual rights
- How to raise concerns

Privacy notices are provided at the point of data collection and reviewed regularly.

### **Data Retention**

We retain personal data only for as long as necessary in line with statutory guidance and our internal Retention Policy. Once data is no longer required, it is securely destroyed in line with agreed procedures. Paper records are shredded, and electronic data is permanently deleted.

### **Data Security**

We take data security extremely seriously. All paper records are stored securely in locked cabinets, and electronic data is protected through password-secured systems. Access to personal data is strictly limited to authorised staff members who require it for their role.

Staff receive ongoing training in data protection and are reminded regularly of their responsibilities. We also ensure that our systems are kept up to date to reduce the risk of cyber security breaches.

Children's personal data is treated as special category data and is subject to enhanced protection due to its sensitive nature.

### **Data Breaches**

In the unlikely event of a data breach, it will be investigated immediately by the designated lead. Where there is a risk to the rights and freedoms of individuals, the Information Commissioner's Office will be informed within 72 hours.

Where appropriate, affected individuals will also be notified. All breaches, regardless of severity, are recorded and reviewed to prevent recurrence.

## **Confidentiality**

Lympstone Preschool is committed to maintaining confidentiality at all times to protect children, families, and staff.

We will ensure:

- Information about children is only shared with their own parents/carers unless safeguarding requires otherwise
- Staff do not discuss children or families outside of professional settings
- Personal information is only shared on a need-to-know basis
- Sensitive documents are securely stored on site
- Safeguarding records are only accessible to the Designated Safeguarding Lead (DSL) and deputies
- Staff personnel information is confidential and securely stored
- Committee discussions remain confidential

Confidentiality is a professional requirement. Breaches may result in disciplinary action.

## **Exceptional Circumstances**

There may be occasions where confidentiality cannot be maintained. This includes situations where there is a safeguarding concern, a risk of harm, or a legal requirement to share information. In such cases, information will always be shared appropriately, proportionately, and only with those who need to know.

## **Staff Responsibilities**

All staff are responsible for ensuring that personal data is handled correctly. This includes only accessing information relevant to their role, storing data securely, and reporting any concerns or potential breaches immediately.

Staff must not discuss children, families, or colleagues outside of the setting, and must ensure that all conversations relating to sensitive matters are conducted privately and professionally.

## **Parents and Confidentiality**

We ask parents and carers to respect the confidentiality of other families within the setting. While we recognise that informal conversations may occur, we encourage all families to consider the impact of sharing personal information about others.

Support is always available from the Preschool Manager for any concerns or issues that may arise.

*This policy was approved by Lympstone Preschool Committee, and will be reviewed annually, or sooner if legislation, guidance or operational requirements change.*

Reviewed: 08/06/2026