

Data Protection Policy & Privacy Notice (GDPR)

Young England Kindergarten (Bayswater) Limited
5–8 Queensborough Terrace, London W2 3TA

1. Policy Statement

Young England Kindergarten (Bayswater) Limited (“the nursery”) is committed to safeguarding the privacy, confidentiality, and security of personal data relating to children, parents, employees, and all associated individuals.

We process personal data in accordance with:

- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018

We ensure all personal data is handled lawfully, fairly, transparently, and securely.

2. Data Controller Details

The nursery is the **Data Controller**.

Data Protection Coordinator (DPC):

Henry King (School Business Manager)

Telephone: 0203 337 2714

Email: admin@youngenglandkindergarten.co.uk

ICO Registration Number: ZB636233

3. Scope

This policy applies to:

- Children
- Parents/carers
- Employees
- Students and volunteers

4. Data Protection Principles

We ensure personal data is:

- Processed lawfully, fairly, and transparently
- Collected for specified purposes only
- Adequate, relevant, and limited
- Accurate and up to date
- Retained only as necessary
- Kept secure

5. Categories of Personal Data

Children

- Identity and contact details
- Attendance and development records
- Safeguarding, incident, and accident records
- Medical and dietary information
- Photographs and observations

Parents

- Contact details
- Financial and payment information
- National Insurance number

Employees

- Personal and contact details
- Payroll and tax information
- Employment and performance records
- Health and absence records

Special Category Data

Includes health, ethnicity, safeguarding records.

We process this data under **Article 9 GDPR** where:

- Necessary for safeguarding children
- Required by employment law

- In the public interest
 - With explicit consent (where applicable)
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6. How We Collect Data

We collect data via:

- Enquiries and enrolment
 - Employment applications
 - Ongoing nursery operations
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7. Lawful Bases for Processing

We rely on:

- Contractual necessity
 - Legal obligation
 - Legitimate interests
 - Vital interests (safeguarding)
 - Consent (where required)
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8. How We Use Personal Data

Children

- Deliver care and education
- Monitor development and progress
- Safeguard welfare
- Share with schools for transition
- Provide reports to parents

Parents

- Communication
- Fee processing
- Emergency contact
- Funding claims

Employees

- Recruitment and employment management
- Payroll and pensions
- Performance and training
- Legal compliance

If required data is not provided, we may be unable to fulfil contracts or legal obligations.

9. Data Sharing

We may share data with:

- Local Authorities (funding, safeguarding)
- Ofsted and regulators
- Schools
- Professional advisers
- Third-party providers including:
 - Google Drive (file sharing)
 - Xero (finance)
 - HR4UK (HR support)
 - Westminster City Council (government funding)
 - Google Mail (emails)
 - First Advantage (DBS checks)
 - Ovivio (nursery management software)
 - ArcPathway (learning development tracker)

All third parties are contractually required to comply with GDPR.

10. Data Security

We implement:

- Locked storage for physical records
- Password-protected systems
- Restricted “need-to-know” access
- Secure cloud storage and backups
- Malware protection and system updates

All staff receive GDPR and confidentiality training.

11. Data Retention

We retain personal data only for as long as necessary to fulfil the purposes for which it was collected, including legal, accounting, safeguarding, and regulatory requirements.

When determining retention periods, we consider:

- Legal and statutory requirements
- The nature and sensitivity of the data
- The risk of harm from unauthorised use or disclosure
- Safeguarding obligations
- Operational and regulatory needs

Personal data will be securely deleted or anonymised once it is no longer required.

Detailed retention periods for specific categories of data are set out in Appendix 4 – Data Retention Schedule.

12. Individual Rights

Individuals have the right to:

- Be informed
- Access their data
- Rectify inaccuracies
- Request erasure
- Restrict processing
- Data portability
- Object to processing
- Challenge automated decisions

Requests must be made in writing.

13. Confidentiality

All staff, students, and volunteers must:

- Maintain strict confidentiality
- Share data only when necessary
- Avoid discussing sensitive matters outside the nursery

Breaches may result in disciplinary action.

14. Safeguarding Override

Confidentiality may be overridden where a child is at risk.
Child welfare is always the priority.

15. Automated Decision-Making

We do not carry out significant automated decision-making without:

- Lawful basis
 - Safeguards
 - Right to human review
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16. Data Breaches

A breach includes loss, unauthorised access, or disclosure.

We will:

- Assess risk immediately
 - Notify the ICO within 72 hours where required
 - Inform affected individuals if high risk
 - Record all breaches
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17. Complaints

Complaints should be directed to the DPC.

Unresolved complaints may be referred to the **Information Commissioner's Office (ICO)**.

18. Policy Review

Reviewed annually or when legislation changes.

19. Approval

Approved by: Henry King

Date: 01 January 2026

Next Review: 01 January 2027

APPENDIX 1 – Subject Access Request Procedure

- Requests must be in writing
 - Identity must be verified (passport, licence, etc.)
 - Response within one month (or sooner where possible)
 - Third-party data may require consent
 - Data may be redacted where necessary
 - Requests may be refused if harmful or excessive
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APPENDIX 2 – Data Breach Procedure

In the event of a breach:

1. Identify and contain the breach
 2. Assess risk to individuals
 3. Notify ICO within 72 hours if required
 4. Inform affected individuals if high risk
 5. Record:
 - Nature of breach
 - Number of individuals affected
 - Consequences
 - Actions taken
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APPENDIX 3 – Record of Processing & Third Parties

We maintain records of:

- Data types held
- Purpose of processing
- Lawful basis
- Third-party processors
- Retention periods

APPENDIX 4 – Data Retention Schedule

Young England Kindergarten (Bayswater) Limited retains personal data in accordance with legal requirements, including guidance from the Information Commissioner’s Office (ICO), HMRC, safeguarding regulations, and employment law.

1. Children’s Records

Record Type	Retention Period	Reason
Child personal records, registration forms	Until child reaches age 21	Limitation Act (safeguarding/legal claims)
Safeguarding / child protection records	Until age 25 (or longer if advised)	Safeguarding best practice
Accident / incident records	Until age 21	Legal claims protection
Attendance records	3 years	Regulatory requirement
Development records / progress reports	3 years after child leaves	Operational need
Medication records	3 years	Ofsted requirement
Photographs (general use)	While child attends (or until consent withdrawn)	Consent-based

2. Parent Records

Record Type	Retention Period	Reason
Contact details and contracts	6 years after child leaves	Contract law
Financial records (fees, invoices)	6 years	HMRC requirement
Funding documentation	6 years	Audit/legal requirement
Communications (emails, messages)	Up to 3 years	Operational relevance

3. Employee Records

Record Type	Retention Period	Reason
Personnel files	6 years after employment ends	Employment law
Payroll records	6 years	HMRC requirement
Pension records	6 years	Legal requirement
Recruitment records (unsuccessful candidates)	6 months	Equality Act
DBS checks (record of check only)	Duration of employment + 6 years	Safeguarding
Disciplinary / grievance records	6 years	Legal protection
Health records (work-related)	Up to 40 years (where applicable)	Health & Safety law

4. Safeguarding Records

Record Type	Retention Period	Reason
Child protection files	Until age 25 or longer if required	Safeguarding guidance
Incident reports involving safeguarding	As above	Legal/safeguarding

5. Data Protection & Compliance Records

Record Type	Retention Period	Reason
Subject Access Requests	3 years	Audit trail
Data breach records	3–6 years	ICO accountability

Record Type	Retention Period	Reason
Consent records	Duration of processing + 3 years	Legal evidence

6. CCTV / Digital Systems (if applicable)

Record Type	Retention Period	Reason
CCTV footage	30 days (unless required for investigation)	ICO guidance

7. General Business Records

Record Type	Retention Period	Reason
Contracts with suppliers	6 years after end of contract	Legal requirement
Insurance records	6 years	Legal requirement