

**Thanet Early Years Project
Thanet Early Years Project
Data Protection Policy**

1. Data protection principals

Thanet Early Years Project (TEYP) is committed to processing data in accordance with its responsibilities under the General Data Protection Regulation (GDPR) and The Data Protection Act 2018. From 1st January 2021, the Information Commissioner's Office (ICO) becomes the leading regulator, supervisor and enforcer of UK GDPR.

Article 5 of the GDPR requires that personal data shall be:

1. Processed lawfully, fairly and in a transparent manner in relation to individuals;
2. Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
3. Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
4. Accurate, and where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
5. Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and
6. Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

The Eight Data Protection Principles (Data Protection Act 2018) underpin the 7 privacy principles of the UK GDPR.

1. Fairly and lawfully processed.
2. Processed for limited purposes.
3. Adequate, relevant and not excessive.
4. Accurate.
5. Not kept for longer than is necessary.
6. Processed in line with your rights.
7. Secure.
8. Not transferred to other countries without adequate protection.

2. General Provisions

- a. This policy applies to all personal data processed by Thanet Early Years Project.
- b. The Responsible Person (Kim Hammond) shall take responsibility for the Charity's ongoing compliance with this policy.
- c. This policy shall be reviewed at least annually.
- d. Thanet Early Years Project shall register with the Information Commissioner's Office (ICO) as an organisation that processes personal data.

3. Lawful, fair and transparent processing

- a. To ensure its processing of data is lawful, fair and transparent, Thanet Early Years Project shall maintain a Register of Systems.
- b. The Register of Systems shall be reviewed at least annually.
- c. Individuals have the right of access their personal data and any such requests made to Thanet Early Years Project shall be dealt with in a timely manner.

4. Lawful purposes

- a. All data processed by Thanet Early Years Project must be done on one of the following lawful bases; consent, contract, legal obligation, vital interests, public task or legitimate interest.
- b. Thanet Early Years Project shall note the lawful basis in the Register of Systems.
- c. Where consent is relied upon as a lawful basis for processing data, evidence of opting in consent shall be kept with the personal data.
- d. Where communications are sent to individuals based on their consent, the option for the individuals to revoke their consent should be clearly available, and systems should be in place to ensure such revocation is reflected accurately in Thanet Early Years Project's systems.

5. Data Minimisation

Thanet Early Years Project shall ensure that personal data are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

6. Accuracy.

- a. Thanet Early Years Project shall take reasonable steps to ensure personal data is accurate.
- b. Where necessary for the lawful basis on which data is processed, steps shall be put in place to ensure that personal data is kept up to date.

7. Archiving/Removal

- a. To ensure that personal data is kept for no longer than necessary, Thanet Early Years Project shall put in place an archiving policy for each area in which personal data is processed and review this process annually.
- b. The archiving policy shall consider what data should/must be retained, for how long, and why.

8. Security

- a. Thanet Early Years Project shall ensure that personal data is stored security using modern software that is kept up to date.
- b. Access to personal data shall be limited to personnel who need access and appropriate security should be in place to avoid unauthorised sharing of information.
- c. Where personal data is deleted, this should be done safely such that the data is irrecoverable.
- d. Appropriate back up and disaster recovery solutions shall be in place.

9. Breach

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alternation, unauthorised disclosure of, or access to, personal data, Thanet Early Years Project shall promptly assess the risk to people's rights and freedoms and if appropriate report this breach to the ICO.

Thanet Early Years Project

Privacy Notice

How we use staff information

The categories of staff information that we collect, process, hold and share include:

- personal information (such as name, address, employee number, national insurance number, bank details, DBS date & number, emergency contact, next of kin, relevant medical information and driving documents)
- special categories of data including characteristics information such as gender, age, ethnic group for equal opportunities monitoring.
- contract information (such as start dates, hours worked, post and salary information)
- work absence information (such as number of absences and reasons, GP fit notes and self-certification)
- qualifications

Why we collect and use this information

We use staff information:

- to enable payroll processing
- any medical information to comply with Health and Safety Regulations
- to satisfy the requirements of our regulators, for example Ofsted, HMRC, etc.

The lawful basis on which we process this information

We process this information under legal obligation.

Collecting this information

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain workforce information to us or if you have a choice in this.

Storing this information

We hold workforce information for as long as is necessary and no longer and records no longer needed are destroyed securely. Please refer to our Thanet Early Years Project Retention Document Policy.

Who we share this information with

We do not routinely share this information with any other agency other than for legal reasons such as seeking Employment Law or Tax consultant advice, HMRC on request, to set up staff admission into the TEYP Pension Scheme, the National Statistics Agency which is mandatory, Ofsted and any other agency employed by TEYP to ensure we are compliant with current legislation.

Why we share staff/workforce information

We do not share information about workforce members with anyone without consent unless the law and our policies allow us to do so.

Data collection requirements

TEYP has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether TEYP releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested; and
- the arrangements in place to securely store and handle the data

To be granted access to workforce information, organisation must comply with TEYP's strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact the TEYP Project Manager at TEYP Head Office.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Further information

If you would like to discuss anything in this privacy notice, please contact the Project Manager of Thanet Early Years Project on 01843 609630 or email admin@thanetearlyyears.org