



## 31: DOCUMENTATION AND INFORMATION POLICY

T Club 6 recognises its obligations under the General Data Protection Regulation (GDPR) 2018 and the Data Protection Act (DPA) 2018 and is committed to protecting the privacy and security of personal information.

This policy will work alongside our Privacy Notice to ensure compliance under GDPR and aims to minimise the risk of inappropriate use and distribution of personal data relating to children, parents and families that use the club and staff employed by T Club 6.

The following definitions will be used:

### **Personal Data**

Personal data is defined as general information relating to parents/carers and children that access services at our club and staff employed at T Club 6 by which that individual can be identified.

### **Sensitive Information**

Some information collected may include sensitive personal data. Information that falls into this category includes:

- Details of any special health issues (including special educational needs or physical disability statement)
- Appropriate records of children's progress and achievements
- Details of accident or incident reports including pre-existing injuries
- Safeguarding information such as court orders and professional involvement
- Any other information relating to the child, deemed by staff or parents/carers, to be relevant and significant.

The GDPR outlines six data protection principles which the club will comply with when processing personal data. The principals relate to:

- processing personal data lawfully, fairly and in a transparent manner in relation to the individual
- collecting personal data for a specific, explicit and legitimate purpose.
- ensuring personal data is adequate, relevant and limited to what is necessary in relation to the processing purpose
- reasonable steps are taken to update or remove data that is inaccurate or incomplete
- retaining personal data only as long as necessary
- keeping personal data safe and protected against unauthorised or unlawful processing.

### **Rights to Personal Information**

The club is committed to a policy of openness with parents/carers and staff with regard to its policies and procedures and the information that the club holds on them. Under GDPR (2018), parents/carers have the right to:

- request access to information held about them and their child.
- 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;



- a right to seek redress, either through the Information Commissioner's Office (ICO), or through the courts.

If you wish to exercise any of these rights or if you have any questions, comments or concerns about your personal data contact our Data Protection Officer Fiona Neville in writing ([committee@tclub6.org.uk](mailto:committee@tclub6.org.uk)). If you continue to have concerns about the way your data is handled you have the right to complain to the Information Commissioner Office helpline on 0303 123 113.

### **Storage and Security of Personal Data**

In the spirit of GDPR we only collect personal information for statutory, legal or legitimate business use. The club does not use the information in any way that has unjustifiable adverse effects upon the individuals concerned or use the data in any way that is unlawful. It is our intention to respect the privacy of children and their families by ensuring:

- confidential records are locked securely in a filing cabinet
- electronic personal and /or sensitive information are held on a password protected computer. When not in use, the computer is stored in a locked cabinet at the club or the Manger's house
- images stored on the computer are immediately deleted from the device
- staff and student inductions include an awareness of the importance of confidentiality. A breach in confidentiality may result in disciplinary action and, in serious cases dismissal
- staff are aware that personal data is confidential and only for use within the club
- restricted documents are not taken from the club without agreement for transport and storage.

### **Data Retention**

We will only retain personal information for as long as necessary to fulfil the purposes for which it was collected, including to satisfy any statutory, accounting or reporting requirements. All paper-based files containing personal and /or sensitive information that have exceeded their retention period will be shredded on site (see appendix for timelines on periods for keeping documents).

### **Data Collected, Stored and Retained**

#### **Staff Data**

We collect, store and use the following data about employees:

- Next of kin and emergency contact details
- National Insurance number
- Salary and annual leave information
- Recruitment information including applications, references, right to work, qualifications and DBS checks
- Employment records including work history, working hours and training records
- Personnel information including performance records and disciplinary and grievance information
- Records of accidents or injuries.

#### **Children's data**

Children's data collected, stored and used will include:

- Birth name (along with any other name the child is known by)
- Date of birth
- Gender
- Home address and telephone number(s)



- Parents or carers names and addresses
- Parents or carers work contact number(s)
- Name of parent child normally lives with
- Any other emergency contact names and numbers
- Family doctor's name, address and telephone number
- Details of any special health issues (including a special educational needs or physical disability statement)
- Details of any special dietary requirements, allergies and food and drink preferences
- Any other information relating to the child deemed by staff or parents/carers to be relevant and significant.

### **Other Records Kept**

- An accurate daily staff, student and volunteers attendance registers and visitor logs;
- Records of the activities planned and implemented, including any off-site visits clearly stating, when they were carried out, by whom, date of review and any action following;
- Inventory records of all equipment owned or used by the provision including safety checks and repairs carried out.
- Completed Accident and Incident forms
- A record of any other individuals who reside at, or regularly visit/spend time at the Club, including their contact details.
- Daily attendance registers, as set out in the Arrivals and Departures policy
- Waiting list with details of all children waiting for a place at the club, as set out in the Documentation and Information policy.
- Records of any medication being held by staff on behalf of children, along with the signed Administration of Medication Form, in the Medication Record Book (in accordance with the Accident, Illness and Emergency policy).
- Records of any medication administered to any child, including dates, circumstances and who administered it - this includes self administered medication.
- Records of signed Emergency Medical Treatment Forms, giving parental authorisation for staff to consent to emergency treatment for children (in accordance with the Accident, Illness and Emergency policy) or equivalent.
- An Inventory Record of all equipment owned or used by the Club, including safety checks and repairs carried out, (in accordance with the Equipment policy).

### **Photographs and Videos**

Photographs and videos will only be taken by the club's staff and only following written consent for the child/children being photographed. It is likely that there will be occasions during a child's time at the club when staff may wish to photograph or video children as part of an observation or to record an achievement to show their parent/ carer.

The club will not use the personal details or full name (first name and/or surname) of any child in a photographic image on its website or in any other printed material without consent. Generally, images of children will not have accompanying name in the text or caption; if a name is used in the text, the club will not use an image of that individual unless specific permission has been granted. No images of children will be released to press or media contacts without the relevant written parental consent.



No photographs of children will be released to press or media contacts or used in any of the club's marketing, externally or internally, without the formal consent, in writing, from the parent or carer of the child/children being photographed.

All written consents relating to the use of photographic images of children will be filed at the club for the life of the image or images to which it relates.

### **Photographic Displays**

The club will not use personal details or full name (first name and/or surname) of any child in an image on its display, website or in any other printed material without having gained the consent, in writing, from the parent /or carer of the child/children.

Where images are used in mounted displays, either at the club or elsewhere, reference to the written consent to display the image(s) must be clearly indicated on the reverse of the image.

### **Notification of Changes**

The club recognises its responsibilities in keeping children, parents/carers, staff and Ofsted informed of any changes to the running or management of the club that will directly affect them.

Wherever possible, if changes are to be made, affected parties will be given as much warning as possible. In the case of proposed changes that are of considerable scope or importance, the club will facilitate consultation with the affected groups or individuals.

In the following cases, it is mandatory for the club to inform Ofsted at the earliest possible opportunity (within 14 days) after the change occurs:

- Any significant change to the premises.
- Change of premises address where childcare is provided.
- Change in the type of childcare, for example, from after school club to childminding.
- Any change of the registered person's name, address or telephone number.
- Any change in registered person and person in day to day charge.
- Any proposal to change the hours during which childcare is provided.
- Any changes that will affect the suitability of the registered person or anyone who cares for children on the premises. For example, committing an offence that would result in disqualification.
- Any incident of food poisoning affecting two or more children in the care of the childcare setting.
- Any serious accident or injury to, or death of any child receiving childcare.
- Any serious accident or injury to, or death of any person on the childcare premises.
- Any allegation of serious harm or abuse of any child committed by a member of staff (whether the offence is committed on or off site).
- Any allegation of serious harm or abuse of any child occurring on the premises and committed by any person (whether they are children, staff, parents or visitors).
- Any significant change to the operational plan of the club.
- Any other significant events



## **Confidentiality**

Confidential information and records about children and staff will be held securely and only accessible to those who have a right or professional need to see them.

The club Manager, staff, volunteers and any other individual associated with the running or management of the club will respect confidentiality by:

- Not discussing confidential matters about children with other parents/carers.
- Not discussing confidential matters about parents/carers with children or other parents/carers.
- Not discussing confidential information about other staff members.
- Only passing sensitive information, in written or oral form, to relevant people.

In circumstances where staff have good reason to believe that a child is at risk, or is likely to be at risk, of child abuse or neglect, the Safeguarding Children policy will override confidentiality on a 'need to know' basis.

Parents/carers/staff have the right to trust that information given to the club is given in confidence and will be used only for the purposes for which it was given and will not be released without their consent.

Staff failing to show due regard for confidentiality will be liable to disciplinary action under the provisions of the Staff Disciplinary & Grievance Procedures policy.

### **Links to legislation:**

- The Children Act 1989
- The Children Act 2000
- Local Government Act 2000
- Crime and Disorder Act 1998
- Freedom of Information Act 2000

Appendix A

MANAGING STATUTORY RECORDS

The table summarises the main legislation regulating statutory retention periods. If employers are in doubt, it is a good idea to keep records for at least 6 years, to cover the time limit for bringing any civil legal action.

<p>Accident books, accident records/reports</p>	<ul style="list-style-type: none"> <li>• 3 years from the date of the last entry (or, if the accident involves a child/ young adult, then until that person reaches the age of 21). (See below for accidents involving chemicals or asbestos)</li> </ul>
<p>Accounting records</p>	<ul style="list-style-type: none"> <li>• 3 years for private companies, 6 years for public limited companies</li> <li>• not less than 3 years after the end of the financial year to which they relate</li> </ul>
<p>Income tax and NI returns, income tax records and correspondence with HMRC Wages/salary records</p>	<ul style="list-style-type: none"> <li>• not less than 3 years after the end of the financial year to which they relate</li> </ul>
<p>Medical records containing details of employees exposed to asbestos. Medical examination certificates</p>	<ul style="list-style-type: none"> <li>• 40 years from the date of the last entry</li> <li>• 4 years from the date of issue</li> </ul>
<p>Retirement Benefits Schemes – records of notifiable events, for example, relating to incapacity</p>	<ul style="list-style-type: none"> <li>• 6 years from the end of the scheme year in which the event took place</li> </ul>
<p>Statutory Maternity Pay records, calculations, certificates (Mat B1s) or other medical evidence</p>	<ul style="list-style-type: none"> <li>• 3 years after the end of the tax year in which the maternity period ends</li> </ul>
<p>National minimum wage records</p>	<ul style="list-style-type: none"> <li>• 3 years after the end of the pay reference period following the one that the records cover</li> </ul>
<p>Records relating to working time</p>	<ul style="list-style-type: none"> <li>• 2 years from date on which they were made</li> </ul>
<p>Enhanced DBS checks</p>	<ul style="list-style-type: none"> <li>• original destroyed within 6 months of issue</li> <li>• record date, DBS number and who obtained the DBS / completed the status check</li> </ul>

## MANAGING INFORMATION - NON STATUTORY RECORDS

An employer needs to consider the correct retention period for them, depending on the type of record. The advice is based on the time limits for potential tribunal or civil claims, it is often a question of judgement rather than there being any definitive right and wrong.

### Application forms / Interview notes

- 6 months to one year from date of advertising role
- Successful applications documentation should be in personnel file

### Parental Leave

- 5 years from birth / adoption of child. 18 years if child receives disability allowance

### Personnel files / training records

- 6 years after employment ceases

### Redundancy details /calculations

- 6 years after the date of redundancy