



Sandon Cygnets Preschool,
Sandon JMI School,
Rushden Road,
Sandon.
SG9 0QS
Tel: 01763 287 238
Leader of Data Protection: Peta Mitchell

Sandon Cygnets Pre-School Privacy Notice - Paid & Unpaid Staff

Sandon Cygnets Preschool is a data controller (contact details above). This means it decides how your personal data is processed and for what purposes. We comply with the data protection law. This says that the personal information we hold about you must be;

- a) Used lawfully and fairly
- b) Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with these purposes
- c) Relevant to the purposes we have told you about and limited only to those purposes.
- d) Accurate and kept up to date
- e) Kept only as long as necessary for the purpose we have told you about
- f) Kept securely

Purpose of Processing and legal Basis for Holding Information

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances.

- Where we need to perform the contract we have entered into with you,
- Where we need to comply with a legal obligation,
- Where we need to protect your interests,
- Where it is needed in the public interest or for official purposes.

. Our lawful reasons for processing data are;

- **Contractual** - *Processing is permitted if it is necessary for the entry into, or performance of, a contract with the data subject or in order to take steps at his or her request prior to the entry into a contract.*
- **Legitimate interests** – *Processing is permitted if it is necessary for the purposes of legitimate interests pursued by the controller (or by a third party), except where the controller's interests are overridden by the interests, fundamental rights or freedoms of the affected data subjects which require protection, particularly where the data subject is a child.*
- **Legal Obligation** - *The processing is necessary to comply with the law (not including contractual obligations)*
- **Public Task** - *The processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law.*

The type of information we hold about staff

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). There are 'special categories' of more sensitive personal data which require a higher level of protection. We will collect, store and use the following categories of personal information about you:

- Personal contact details, e.g. name, title, addresses, telephone numbers, email addresses etc.
- Date of birth
- Gender
- Marital status and dependents
- Next of kin and emergency contact information
- National Insurance number
- bank account details, payroll records and tax status information
- Salary, annual leave, pension, benefits information
- Qualifications
- Start date
- Location of employment or workplace
- Copy of identification (driving licence or passport)
- Recruitment information, including employment history, DBS checks, right to work documents, references, and any other information included in your CV or cover letter as part of an application.
- Employment records, including job titles, work history, working hours, training records.
- Performance information.
- Disciplinary and grievance information, including warnings issued.
- Photographs

Other records

- Issues to do with the employment of staff, whether paid or unpaid, remain confidential to the people directly involved with making personnel decisions. (see staffing policy for further details)
- Students, when they are observing in the setting, are advised of our confidentiality policy and required to respect it. (see volunteers and student policy for further details)

How do we collect your personal information?

We collect personal information about employees through the application and recruitment process, either directly from candidates or sometimes through an employment agency. We may sometimes collect additional information from third parties, including former employers, the Local authority or other background check agencies. We also collect additional personal information in the course of job related activities throughout your employment with us.

How do we use your personal information?

We need the information listed above primarily to allow us to perform our contract with you, to enable us to comply with legal obligations and / or where it is needed in the public interest or for official purposes. The situations in which we will process your personal information are listed below.

- Making a decision about your recruitment or appointment
- Determining the terms on which you work for us
- Checking you are legally entitled to work in the UK

- Checking qualifications / references and to assess suitability to work with children
- To maintain our single central record and to comply with our general safeguarding obligations
- To provide information on our website about our employees
- Paying you and deducting tax and National Insurance contributions
- Liaising with your pension provider
- Administering the contract we have entered into with you
- Conducting performance management reviews
- Making decisions about your employment (e.g. considering promotions, salary reviews, grievances, disciplinaries, termination of employment)
- Providing references to prospective employers
- Education, training and development requirements
- Dealing with legal disputes involving you, or other employees, including accidents at work
- Managing sickness absence
- Complying with health and safety obligations
- To prevent fraud
- To maintain and promote equality in the workplace

The above is not an exhaustive list and there may be other reasons for us to justify our use of your personal information.

How do we process your personal data?

Sandon Cygnets Preschool complies with its obligations under the GDPR by;

- Keeping personal data up to date,
- Storing and destroying data securely,
- Not collecting or retaining excessive amounts of data,
- Protecting personal data from loss, misuse, unauthorised access and disclosure,
- Ensuring that appropriate technical measures are in place to protect personal data.

We regularly review the personal data we hold, and delete anything that we no longer need. Information that does not need to be accessed regularly, but which still needs to be retained, is safely archived.

The Right to Withdraw Consent

If consent is required for collecting / processing data, we will follow the GDPR guidelines for obtaining consent. These include:

- Consent requires a positive opt-in. (Don't use pre-ticked boxes or any method of consent by default.)
- Consent for different things given separately - not a blanket consent.
- Name any third parties who will rely on the consent.
- Keep evidence of consent – who, when, how, and what you told people.
- Keep consent under review, and refresh it if anything changes.

Parents / guardians the right to withdraw their consent at any time either verbally, in writing or by email. We will regularly review consent forms, giving parents / guardians the choice to withdraw consent if they wish.

Retention Period for Records

We will only retain your personal data for as long as is necessary to fulfil the purposes we collected it for. Details of retention periods can be found in the table below.

Children's Records	Retention Period
Children's records, including registers, medication record books and accident record books pertaining to the children.	Standard - 3 years
	Record of accident - until the child reaches age 21
	Child protection - until the child reaches age 24
Records of any reportable death, injury, disease or dangerous occurrence.	3 years after the date the record was made.
Personnel Records	Retention Period
Personnel files and training records (including disciplinary records and working time records)	6 years after employment ceases
DBS Check	6 months
Wage / Salary records (including overtime, bonuses and expenses)	6 years
Statutory Maternity Pay (SMP) Records	3 Years after the end of the tax year to which they relate.
Statutory Sick Pay (SSP) Records	3 Years after the end of the tax year to which they relate.
Income tax and national insurance returns / records.	At least 3 years after the end of the tax year to which they relate.
Redundancy details, calculations of payments, refunds, notification to the secretary of state.	6 Years after employment ends.
Health and Safety	
Staff accident records (for organisations with 10 or more employees)	3 years after the date the record was made.
Records of any reportable death, injury, disease or dangerous occurrence.	3 years after the date the record was made.
Accident or medical records as specifies by the Control of Substances Hazardous to Health regulations (COSHH)	40 years from the date of the last entry.
Assessments under Health and Safety Regulations and records of consultations with safety representatives and committees.	Permanently
Financial Records	
Accounting records	3 years from the end of the financial year for private companies. 6 years for public limited companies. 6 years for charities.
Administration Records	
Insurance Certificates	40 years from the date the insurance commences or is renewed.
Minutes / Minute Book	10 years from the date of the meeting for companies, 6 years from the date of the meeting for Charitable Incorporated Organisations.

Information Sharing

We may have to share your data with 3rd parties, including 3rd party service providers and other organisations. We will only do this if it is required by law, if it is necessary to administer a working relationship with you, where it is needed in the public interest, for official purposes OR where we have your consent.

In particular, we may share your data with organisations including, but not limited to the following:

- Local Education Authority (Hertfordshire County Council)
- OFSTED
- The Disclosure and Barring Service
- Our external accounts and payroll provider (Blanche & co, Royston)
- HMRC
- The Police or other law enforcement agencies

We require third parties to respect the security of your data and to treat it in accordance with the law. Where possible, we have verified the compliance of the above companies with current GDPR regulations. This means we are all responsible for how we process your data.

Rights of Access, Correction, Erasure and Restriction

It is important to keep the personal information we hold about you accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (data subject access request). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us to continue to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal data to another party.

If you want to review, verify, correct or request erasure of your personal data, object to the processing of your personal data, or request the transfer of your personal data, please contact Peta Mitchell in writing. The setting commits to providing access within 14 days, although this may be extended. We are legally required to respond within 1 calendar month. Full details can be found in our Confidentiality Policy on our website www.sandon-cygnets.co.uk

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw consent at any time. To withdraw your consent, please contact Peta Mitchell in writing. Once we have received notification that you have withdrawn consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Complaints Procedure

If you think your data has been misused or that Sandon Cygnets Pre-school hasn't kept it secure, you should contact The Manager of the setting and express your concerns.

If you are unhappy with the response or if you need any other advice you should contact the Information Commissioner's Office (ICO). **ICO helpline: 0303 123 1113**

The ICO can investigate your claim and take action against anyone who's misused personal data.

You can also visit their website for information on how to make a data protection complaint.

www.ico.org.uk

Key definitions:

A **data controller** is any person or body which processes data.

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. The processing of personal data is governed by the General Data Protection Regulation 2016/679 (the GDPR")

Processing refers to collection, recording, organisation, structuring, storage, adaption or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction of data.

If you have any questions about this privacy notice, please contact:

Leader of Data Protection: Peta Mitchell

Tel: 01763 287 238

I, _____ (employee/ volunteer / committee member),
acknowledge that on _____ (date), I received a copy of Sandon Cygnets Pre-School's Privacy Notice for Paid and Unpaid staff and that I have read and understood it.

Signature.....

Printed name.....

Date.....