

# Caban Y Faenol CYF

## Data Protection Policy

### Introduction

This policy applies to all employees, workers, contractors, volunteers and work experience placements/volunteers. It is essential that you understand this policy and adhere to it.

Caban Y Faenol Cyf Data Protection Officer, Morfudd Roberts, has overall responsibility for implementing this policy. You are invited to speak with the Data Protection Officer, should you have any questions about the implementation of this policy.

Caban Y Faenol Cyf holds personal data relating to employees, workers, volunteers, work experience placements, volunteers, children, parents/guardians, suppliers and other individuals for different business purposes.

We have the lawful basis of a contractual obligation and a legal obligation to process necessary information to provide educational and child care services to children whose parents/guardians have engaged in a contract with us to deliver child care. Certain information is necessary to provide educational childcare services, safeguard children and adhere to our legal obligations. We also have the lawful basis of a vital interest to administer information necessary to maintain the health, safety and welfare of children in our care.

The aim of this policy is to protect personal data relating to individuals.

- To ensure that employees of Caban Y Faenol Cyf and individuals engaged by the organisation understand the General Data Protection Regulation (GDPR) and how it applies to personal data which they have access to in order to perform their work activities.
- To make sure that employees and individuals engaged by Caban Y Faenol Cyf report any potential or breaches of data protection and privacy and potentially new plans for data processing to the Data Protection Officer.
- To outline how Caban Y Faenol Cyf will collect and use your data.

Our business purposes for the processing of personal data are:

- Correspondence purposes, with parents, guardians, children, employees and individuals engaged by the business (including prospective and former employees and workers) and suppliers.
- Recruitment, including checking references and any criminal records checks which are justified by law.
- Management of employees including monitoring and managing staff access to systems and facilities and employee absences, administration and assessments.

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- Maintaining records for individual children and their families, including personal details, health information and developmental records which include photographs of arts and crafts, and also emergency contact details.
- To administer payroll.
- In the course of general business administration.
- To manage the health and safety of all people in the organisation and those affected by its activities.
- For financial management purposes.
- Legal, regulatory, corporate governance obligations and compliance, including with the Care Inspectorate Wales (CIW), social services and the Police.
- Manage visits from health professionals.
- Business development and marketing our business.
- Operational reasons, including recording transactions, training and quality control, ensuring the confidentiality of commercially sensitive information and security vetting
- Child care package planning and management.
- Compliance with service level agreements.
- Customer service, investigating complaints and improving services.

## Personal Data

In the EU's General Data Protection Regulation (GDPR), Personal Data is defined as “ . . . any information relating to an identified or identifiable natural person (“data subject”). An identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identifier, such as a name, an identification number, location data, online identifier or to one or more factors specific to the physical, psychological, genetic, mental, economic, cultural or social identify of that person.

Personal data is information relating to identifiable individuals, including job applicants, employees and former employees, agency workers, volunteers, students, work placements, consultants, contractors, children and their families, suppliers and marketing contacts.

This personal data may include an individual's contact details, educational background, financial and pay details, certificates and diplomas, education and skills, marital status, nationality, job title and CV.

## Sensitive Personal Data

Information relating to an individual's racial or ethnic origin, political opinions, religion and beliefs, trade union membership, physical or mental health, criminal records history must be strictly protected and controlled in accordance with this policy.

Where exceptional circumstances apply, or we are required to hold this data by law, explicit consent will be clearly sought with an explanation on why the information is being collected and to whom it will be disclosed.

- We are required to undertake enhanced DBS checks on those working with children.

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- We are required to retain safeguarding records until a child reaches the age of 21.
- Employment records will be retained for a period of 7 years after the end of employment.
- Recruitment records for unsuccessful job applicants will be retained for 12 months.

## Procedures and Principles

- Personal data must be processed fairly and lawfully and for no longer than is necessary.
- The processing of data must necessary to deliver the services which we provide.
- We must not unduly prejudice an individual's privacy.
- Our Terms of Business contain a Privacy Notice on data protection which provides the purposes for which we hold personal data on children and their families. Our Terms of Business also explain what information we share with third parties and why (this includes the Care Inspectorate Wales (CIW)). Parents and guardians are informed that they have a right of access to the personal data that we hold about them.
- New employees receive an Employee Privacy Notice on induction when we collect personal data which explains what personal data we hold and why and also that they have a right of access to the personal data that we hold about them.
- We will ensure that any personal data remains accurate and relevant and only used for the purpose or purposes, for which it was obtained.
- Personal data on paper should be retained in a secure lockable cabinet where unauthorised personnel cannot gain access to it.
- Printed documents should be shredded when no longer required.
- Information saved on computer systems should be password protected using strong passwords that are changed regularly.
- The storing of personal data on memory sticks or CDs should be kept to a minimum and storage devices must be locked away securely when not in use. OR the storing of personal data on memory sticks is banned to ensure that no breaches of employee/service user/patient/client data arise as a consequence.
- Personal data must not be saved on a mobile device, such as a laptop, tablet or smartphone, unless it is encrypted.
- Personal data must not be transferred anywhere outside the UK without the express permission of the Data Protection Officer.
- All personnel, contractors, volunteers and work experience placements are required to report any actual or potential breaches in data protection and privacy to the Data Protection Officer so that an investigation and preventative action can be undertaken.
- A failure to comply with this policy will be investigated and may be subject to disciplinary action.

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## Marketing Activities

- Caban Y Faenol Cyf may wish to contact parents/guardians for marketing purposes, however contact will only be made where additional consent for the purpose of marketing services has been given by the intended recipient.
- Data protection statements must be included on emails and marketing documents.
- Data protection statements must be approved by the Data Protection Officer.
- All new marketing activities must be reviewed by the Data Protection Officer to ensure compliance with the GDPR and this Data Protection Policy.

## IT Systems

- Software and equipment meet information security standards by scanning hardware and software regularly and the provision of secure cloud based storage.
- The organisation's IT systems have been set up to ensure data is protected from loss or misuse by design and default.
- Servers containing personal data are kept in a secure location, away from general office space and are regularly backed up in accordance with Caban Y Faenol CYF's back up procedures.
- Servers and networks are protected by security software designed for business and a protective firewall.

## Data Protection Officer Responsibilities

- Keep management updated about data protection responsibilities, risks and issues.
- Regularly review data protection procedures and policies.
- Ensure that personnel are trained on the implementation of this policy.
- Answer questions relating to data protection within Caban Y Faenol CYF.
- Respond to subject access requests and requests to delete or correct inaccurate or incomplete data about an individual.
- Approve the sharing of data with third parties after checking their policies, processing activities, security arrangements and contracts in relation to data processing, including in relation to the provision of cloud based storage systems.