



Retention Policy

The General Data Protection Regulation is an EU Law from May 2018. It requires me to share information with you about data retention after your child has left our setting.

Data I retain about you and your child falls into 3 main categories-

1. Safeguarding and welfare data linked to Ofsted and the Early Years Foundation Stage requirements and the Limited Act.
2. Financial data retained for HMRC purposes.
3. Funding data retained for Local Authority purposes.

I store data about you and your child in paper format and on a memory stick and hard drive

Data relating to the Safeguarding and Welfare requirements of the EYFS

To comply with the Limitation Act 1980, I keep Accident, Injury and First Aid Records and Medication Administration Records using the legal basis of 'Legal obligation' until your child is 21 years and 3 months old and insurance requirements.

Attached to the above, I may also retain Parent – Provider Contracts and Attendance Registers using the legal basis of 'vital interests' to provide additional evidence of compliance with the Early Years Foundation Stage.

I keep further data related to Safeguarding and Welfare requirements of the Early Years Foundation Stage and Childcare Register for a 'reasonable period of time (see EYFS requirement 3.72). ICO advice is that this should be between Ofsted inspections or within the Ofsted inspection cycle which might be between 3 and 8 years.

Information is kept in paper format and after the required retention period the documents to be shredded.

Data relating to the Learning and Development requirements of the EYFS

To comply with the EYFS, I keep documents relating to your child's learning and development including photos of your child's progress, activities and experiences.

I use the legal basis of 'legal obligation' when recording your child's learning, development and progress and 'legitimate interest' when taking photos of your child because I believe it is reasonable for me to process this data to provide you with a good quality service.

I keep the information, including photos *online / in paper format* and will pass it on to you when your child leaves the setting or starts school, whichever comes first.

I use an Off -Line (stored on my USB Data stick not a web based system) learning journey system created for me that I own and no one else can access it. I will ask you to read and sign my 'Data sharing Agreement'.

Data relating to Local Authority funding forms

I keep documentation including your name, address, national insurance number and tracking data for Local Authority Funding forms using the legal basis of 'contractual necessity'. This data is held in paper format and I am required to retain these forms by the Local Authority, after which time they are shredded.

Personal Data

I have been advised by the Information Commissioners Office that it is reasonable to keep a record of your mobile number on my mobile phone and your email address on my computer email provider for up to 1 financial year after your child leaves the setting, so I can contact you if necessary to clarify, for example, accounts information or details relating to your Tax claim (if relevant). The data will be deleted after this period.

If I close my setting or on my retirement, I will keep documentation for as long as legally required by the purpose for which it was collected. There is no absolute duty to encrypt data stored on my memory stick but I will keep it as securely as possible during the retention period (see article 32 of GDPR for more information).

You have the right to ask for information held about you and your child to be withdrawn. This is called the 'right to erasure' in GDPR. However, if I need to keep information because it is legally required then exceptions to the 'right to erasure' apply. I will make a decision about each erasure request individually – please speak to me for more information.

Written by Emma Marshall

Updated: FEB 2024

EMMAS LITTLE MONKEYS