



## DATA PROTECTION POLICY

Last reviewed:	December 2025
Next review due:	December 2026

### Statement of intent

The Little Firefly is committed to safeguarding and promoting the welfare of children, and expects all staff, students and volunteers to share this commitment. We are required by the EYFS statutory framework to hold data concerning the children, staff, parents and other users of the setting and take our responsibilities of the safe management of such data very seriously.

### Policy Statement

This policy outlines how The Little Firefly ensures compliance with the UK General Data Protection Regulation (UK GDPR), which came into effect on 25th May 2018, replacing the Data Protection Act 1998. It provides individuals with greater control over their personal data and places obligations on organisations that collect, store, and process it.

The Little Firefly Forest School is registered with the Information Commissioner's Office (ICO) under the nursery owner, Miss Georgina Emily Adams. Our ICO registration number is:

**ZB325158**

As part of our operation, we are required to collect, store, and sometimes share personal data relating to children, parents/carers, and staff. We take our responsibilities under the GDPR seriously and are committed to handling personal data lawfully, transparently, and securely.

### Principles of Data Protection

Under the UK GDPR, we must adhere to the seven key principles of data processing:

- 1. Lawfulness, Fairness, and Transparency** - Personal data must be processed lawfully, fairly, and in a transparent manner.
- 2. Purpose Limitation** - Data is collected for specified, explicit, and legitimate purposes and not further processed in a way incompatible with those purposes.
- 3. Data Minimisation** - We only collect data that is adequate, relevant, and limited to what is necessary.
- 4. Accuracy** - Data must be accurate and kept up to date.
- 5. Storage Limitation** - Personal data will not be retained longer than necessary.

6. **Integrity and Confidentiality** - Personal data is processed securely to prevent unauthorised access, loss, or damage.
7. **Accountability** - We are responsible for, and must be able to demonstrate, compliance with these principles.

This policy details how we strive to protect those for whom we hold data as required by the Data Protection Act 1998 which regulates the use of “personal data” and “sensitive personal data”. These mean data held either on a computer or in a paper-based filing system which relates to a living individual who can be identified from that data.

Data is information which:

- is being processed by means of equipment operating automatically in response to instructions given for that purpose;
- Is recorded with the intention that it should be processed by means of such equipment;
- Is recorded as part of a relevant filing system or with the intention that it should form part of a relevant filing system;
- Does not fall within paragraph (a), (b) or (c) but forms part of an accessible record as defined by Section 68 of The Act; or
- Is recorded information held by a public authority and does not fall within any of paragraphs (a) to (d).

### **Data controller and data processor roles**

As a childcare provider, The Little Firefly Forest School is the data controller. We determine the purposes and means of processing personal data.

We may share data with third-party services (e.g. local authorities, Tapestry online learning platform etc), making them data processors. We ensure that any data processor we use is GDPR-compliant and bound by appropriate contractual obligations.

### **Lawful basis for processing data**

We must have a lawful basis for processing personal data. The six lawful bases under the UK GDPR are:

1. Consent – the individual has given clear permission.
2. Contract – processing is necessary for a contract.
3. Legal obligation – necessary to comply with a legal requirement.
4. Vital interests – necessary to protect someone’s life.
5. Public task – carried out in the public interest or in the exercise of official authority.
6. Legitimate interests – necessary for legitimate interests (except where overridden by the individual’s rights).

For most data collected, including names, contact information, medical details, and attendance, our legal obligation under the statutory framework for the EYFS is the lawful basis.

Where data processing is not mandatory (e.g. photographs), explicit consent is required. Consent is sought via a clear opt-in process and can be withdrawn at any time. This is usually captured on our enrolment form.

## **Responsibilities**

In order to ensure the smooth operation of the setting and to meet the EYFS statutory framework, it is necessary for us to hold various data concerning the children, staff, parents and other users of the setting. Such data may include (but is not limited to):

- The full name and date of birth of each child
- The name and address of every parent and/or carer who is known to our setting (and information about any other person who has responsibility for the child)
- Emergency contact details including the name, telephone numbers and address for each person (other than the parent/carer) named on our registration forms to collect the child in an emergency
- The name, home address and telephone number of all staff, students and volunteers
- Health and/or medical information relating to children, staff, students and volunteers
- Employment information such as bank account details for staff.

Personal data relating to employees may be collected for the purposes of:

- recruitment, promotion, training, redeployment and / or career development, such as references, CVs and appraisal documents
- administration and payment of wages, such as emergency contact details and bank/building society details
- calculation of certain benefits including pensions
- disciplinary or grievance issues
- performance management purposes and performance review
- recording of communication with employees and their representatives
- compliance with legislation
- provision of references to financial institutions, to facilitate entry onto educational courses and/or to assist future potential employers
- staffing levels and career planning.

Sensitive personal data includes information relating to the following matters:

- racial or ethnic origin
- political opinions
- religious or similar beliefs
- trade union membership
- physical or mental health or condition
- sex life
- the commission or alleged commission of any offence by you.

## **Processing of sensitive personal data**

The Little Firefly will process sensitive data primarily where it is necessary to enable The Little Firefly to meet its legal obligations and in particular to ensure adherence to health and safety and vulnerable groups protection legislation or for equal opportunities monitoring purposes. In most cases, The Little Firefly will not process sensitive personal data without your consent.

In conjunction with the nursery owner, the managers oversee and are responsible for the safe management of data held. Their responsibilities include:

- Keeping abreast of current legislation, making informed decisions about what records and personal information the setting will hold and how it will be held or used.

- Ensuring the setting remains compliant with the Data Protection Act 1998 and the relevant statutory regulations with regard to the processing of personal data i.e. will notify the Information Commissioners Office and pay the relevant fee.
- Sharing information with others on a strict need-to-know only basis.
- Ensuring staff are fully aware of what is good data protection practice and their roles and responsibilities in adhering to this.
- Ensure staff value and appreciate its sensitivity and are fully aware of what the consequences are of breaching the rules and procedures.
- Ensure everyone managing and handling personal information is appropriately trained to do so and appropriately supervised.
- Take appropriate technical and organisational security measures to safeguard personal information. This will typically include secure storage of data and staff training.
- Set out clear procedures for responding to requests for information.
- Regularly review and audit the way that personal information is held, managed and used.

### **Individual rights under the UK GDPR**

All individuals have the following rights regarding their personal data:

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure ('right to be forgotten')
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision-making and profiling

We will respond to any request regarding these rights within one calendar month.

### **Accuracy of data**

The Little Firefly will review personal data regularly to ensure that it is accurate, relevant and up to date.

To ensure the Little Firefly's files are accurate and up to date, and so that The Little Firefly is able to contact you or, in the case of an emergency, another designated person, you must notify The Little Firefly as soon as possible of any change in your personal details (e.g. change of name, address, telephone number, loss of driving licence where relevant, next of kin details, etc.).

### **Security of personal data**

The Little Firefly will ensure that personal data is not processed unlawfully, lost or damaged. We are committed to ensuring personal data is secure by:

- Storing paper records in locked cabinets
- Ensuring electronic records containing personal data are password-protected
- Limiting access to data to authorised staff only
- Regularly updating and monitoring our cybersecurity measures

- Staff receive ongoing training in data security and are reminded of their confidentiality obligations.

Staff have open access to their own personal files but are not permitted to access any other files. In order to enforce this, any paper personal files are stored in a lockable unit and can only be accessed with a manager present. Digital personal files are kept in an online folder, which can only be accessed by the nursery owner, administrator and the staff member themselves.

### **Data breaches**

If a staff member believes they have lost or breached any personal data in the course of their work, they must report it to their manager immediately.

Personal data breaches can include:

- access by an unauthorised third party
- deliberate or accidental action (or inaction) by a controller or processor
- sending personal data to an incorrect recipient
- computing devices containing personal data being lost or stolen
- alteration of personal data without permission
- loss of availability of personal data.

In the event of a personal data breach:

- The incident will be investigated promptly by the nursery owner.
- If the breach presents a risk to rights and freedoms, it will be reported to the ICO within 72 hours. This can be done here: [UK GDPR data breach reporting \(DPA 2018\) | ICO](https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/data-breach-reporting/)
- Affected individuals will be informed when required, without any delay.
- All breaches are documented, regardless of severity via The Little Firefly incident report form.

Failure of staff to report data breaches may result in disciplinary action, up to and including dismissal without notice.

### **Data retention and record keeping**

The Little Firefly has a record keeping policy, which outlines requirements on what data should be kept, and for how long, in regards to children attending the setting and staff being employed at the setting. It also outlines what data should be deleted.

Staff's personal files are kept for a period of six years after their employment with the company comes to an end.

The children's personal files, which hold their medical records, home address, parents contact details and dietary information, are kept for a minimum of three years after they leave the setting. Parents have the right to access their own child's record but cannot access any other child's.

### **Information sharing**

The Little Firefly has an information sharing policy outlining where sharing or disclosing personal information relating to children or staff is appropriate or required.

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Policies, procedures and risk assessments referred to in this document:

- Information sharing policy
- Record keeping policy
- Tapestry policy
- Privacy policy
- Enrolment form

External references:

- [Data protection: The UK's data protection legislation - GOV.UK](#)
- [Retention and destruction of information | ICO](#)
- [Personal data breaches: a guide | ICO](#)
- [Freedom of Information Act 2000](#)

Staff member	Signed	Date (month/year)
Georgina Adams		
Lindsey Goswell		
Alison Johnson		
Katharine King		
Valerie Partington		
Tamzin Plummer		
Annaliese Quinn		
Christina Vaughan		
Alasdair Wilcox		
Claire Morgan		
Zak Martell		
<b>New staff member, please add your name to the table</b>		