



STATEMENT OF COMPLIANCE WITH THE GENERAL DATA PROTECTION REGULATION 2018

The new General Data Protection Regulation became law on 25 May 2018 and Starlings Preschool has an increased responsibility to take seriously the security and protection of families and employee data. In principal the new requirements are an extension to the original data protection act (DPA) but provide better definitions and a greater level of rights regarding personal data. This statement sets out Starlings' official statement of compliance across the different areas of responsibility. If you have any concerns or require any further clarification please do not hesitate to make contact the manager.

- 1. General Data Protection Regulation**
- 2. Business compliance**
- 3. Records and Controllers**
- 4. Rights**

1. General Data Protection Regulation

- We hold a considerable amount of personal data for children, their families and employees.
- For employees the only personal data we hold is that required for safeguarding or payroll purposes.
- The data held is limited to that absolutely necessary for Hampshire County Council for EYE grant applications and associated, safeguarding, payroll and no more.
- We obtain authority to hold data for this process.
- Our payroll is out sourced to a provider for whom we hold a **GDPR compliant Service level agreement**.
- To protect and educate children, it is necessary to hold a significant amount of personal data for them and in some cases their family. Families are aware of this and the reasons for it at the time of providing the information.

2. Business compliance

- Starlings Preschool has a written data protection policy.
- Manager and Deputy Manager are jointly responsible for monitoring our compliance with GDPR on a continuous and on-going basis.
- Any training required will be undertaken as and when it is deemed necessary.
- **For electronic data storage, a well-known and professional standard cloud system is used with a supplier which has its own GDPR responsibilities and has produced its**

own GDPR statement.

- The management team assesses the risks of unlawful disclosure on a continuous basis and all processes and any proposed development of these are determined on a “DPA by design” basis. This means we build GDPR into anything the practice does or will do in the future.
- This statement forms the whole of the business’s GDPR requirement but should be considered in conjunction with other policies, notably :
 - 10-10 Information Sharing
 - 10-6 Children’s records
 - 10-7 Provider records
 - 10-9 Confidentiality and client access to records
- The Manager and Deputy Manager will share the role of Data Protection Officer for the practice and there will be no single DPO appointed.
- Starlings Preschool will act responsibly, where it can, in respect of all aspects of DPA. We expect staff and families to keep us updated where the information we hold changes.

3. Records and controllers

- The Manager and Deputy Manager are the data controllers and for all staff are the data processors for the practice.
- There are no external processors.
- Every effort will be made to ensure data records are kept secure, using all tools available. All computers used by the practice will have suitable and up to date security tools installed and all cloud storage will be monitored for security constantly.
- We will take all measures we are able to in order to protect these records from unlawful access and will report any data breach, as necessary, to the Information Commissioners office in accordance with the new GDPR.
- No international transfers of personal data occur and as far as we are aware none of **the cloud storage facilities** or any digital returns involve data being outside of the UK at any time.

4. Rights

- Data subjects have an increased level of rights in GDPR than those which existed in DPA1998.
- You have the right to be informed about the data the Starlings Preschool holds and this statement outlines in principle what that data is. If you require a full list of the personal data we have please ask for a report under the subject access rights.
- You have the right of access to the personal data held by the practice. When you make a subject access request you will receive a full list of that data as soon as possible and certainly within the 40 day limit imposed by GDPR. There will be no charge for such access.
- You have the right to rectification of any incorrect data. This is subject to evidence that such rectification is required. If we believe the data is correct we have a statutory duty to maintain it. (See additional comment below.)
- You have the right to be forgotten within our systems, the right of “erasure”. This will be

subject to the data we must have to educate and protect children, or process payroll. This statement makes clear that data required for payroll and safeguarding will be kept even if you ask for it to be erased. (See additional comment below.)

- You have the right to demand that we restrict processing of your personal data and again this is subject to the processing which is required in order to employ you or care for your child and for statutory purposes. (See additional comment below.)

NB: Whilst we will seek to restrict the new right to rectification, erasure and restriction of processing in order to fulfil the contractual agreement and where statutory requirements demand that such activities persist, if the data subject insists on exercising their rights and this conflicts with Starlings Preschool statutory responsibilities it may be that we will have to disengage from a family or member of staff in order to meet the GDPR requirement.

As indicated above this statement forms the whole of the Starlings Preschool requirements under the General Data Protection Regulation.

This statement was adopted at a meeting of Starlings Pre-school (name of provider)
Held on _____ (date)
Date to be reviewed _____ (date)
Signed on behalf of the provider _____
Name of signatory _____
Role of signatory (e.g. chair, director or owner) _____