

## Background

Data Protection is an integral part of all Springboard procedures and processes and will be considered in the design of all materials.

## Aim

We have record keeping systems in place for the safe and efficient management of the setting and to meet the needs of the children; that meet legal requirements for the storing and sharing of information within the framework of the GDPR and the Human Rights Act.

The Information Commissioner's Office (ICO) is the regulatory body.

Springboard are registered with the ICO: Registration Number: Z558553X

Springboard Data Controller (main contact registered with ICO) is  
Nikki Tams, Business Manager:

[Nikki@springboardweb.org.uk](mailto:Nikki@springboardweb.org.uk)

01275 341113

We process personal and confidential information about the children we work with and their families, staff, volunteers and settings supported through the Inclusion service.

We must have a legal basis for collecting data, which will be one or more of the GDPR 'conditions to processing':

- Consent
- Necessary for contract
- Legal Obligation
- Vital Interests
- Lawful authority, in the public interest
- Legitimate interest

Privacy statements are issued to specify how and why we process data. These statements are kept under regular review and may be updated as required, to improve our practice without necessitating Trustee approval.

## Principles of data protection: lawful processing of data

Personal data shall be:

- processed lawfully, fairly and in a transparent manner in relation to the data subject
- collected for specified, explicit and legitimate purposes and not further processed in a manner that is not compatible for these purposes
- adequate, relevant and necessary in relation to the purposes for which they are processed
- accurate, and where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purpose for which they are processed, are erased or rectified without delay
- kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed

- processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures (“integrity and confidentiality”) Article 5 of the General Data Protection Regulations (2018)

Practitioners should process data, record and share information in line with the principles above.

### **General safeguarding recording principles of children and family information**

It is vital that all relevant interactions linked to safeguarding children’s and individual’s welfare are accurately recorded.

- All recordings should be made as soon as possible after the event.
- Recording should be to a good standard and clear enough to enable someone other than the person who wrote it, to fully understand what is being described.
- Recording can potentially be viewed by a parent/carer or Ofsted inspector, by the successors of the practitioners who record, and may be used in a family Court as relevant evidence to decide whether a child should remain with their biological parents, or be removed to live somewhere else. Recording needs to be fair and accurate, non-judgemental in tone, descriptive, relevant, and should clearly show what action has been taken to safeguard a child, and reflect decision-making relating to safeguarding.
- Recording should be complete, it should show what the outcome has been, what happened to referrals, why decisions were made to share or not share information, and it should contain summaries and minutes of relevant multi-agency meetings and multi-agency communication.
- If injuries or other safeguarding concerns are being described the description must be clear and accurate and should give specific details of the injury observed and where it is located.
- The principles of GDPR and effective safeguarding recording practice are upheld
- Recording is factual and non-judgemental.
- The procedure for retaining and archiving personal data and the retention schedule and subsequent destruction of data is adhered to.
- Parents/carers and children where appropriate are made aware of what will be recorded and in what circumstances information is shared, prior to their child starting at the setting. Parents/carers are issued with 07.1a Privacy notice and should give signed, informed consent to recording and information sharing prior to their child attending the setting. If a parent/carer would not expect their information to be shared in any given situation, normally, they should be asked for consent prior to sharing.
- There are circumstances where information is shared without consent to safeguard children. These are detailed below, but in summary, information can be shared without consent if a practitioner is unable to gain consent, cannot reasonably be expected to gain consent, or gaining consent places a child at risk.
- Records can be accessed by and information may be shared with local authority professionals. If there are significant safeguarding or welfare concerns, information may

also be shared with a family proceedings Court or the police. Practitioners are aware of information sharing processes and all families should give informed consent to the way the setting will use, store and share information.

- Recording should be completed as soon as possible and within 5 working days as a maximum for safeguarding recording timescales.
- If a child attends more than one setting, a two-way flow of information is established between the parents/carers, and other providers. Where appropriate, comments from others (as above) are incorporated into the child's records.

### **Children's personal files**

Appropriate files must be used. These are made of robust card (not ring binders) and have plastic or metal binders to secure documents. File dividers must be inserted into each file.

The sections contained are as follows:

- personal details: registration form and consent forms.
- contractual matters: copies of contract, days and times, record of fees, any fee reminders or records of disputes about fees.
- SEND support requirements
- additional focussed intervention provided by the setting e.g. support for behaviour, language or development that needs an Action Plan at setting level
- records of any meetings held
- welfare and safeguarding concerns: correspondence and reports: all letters and emails to and from other agencies and confidential reports from other agencies
- Children's personal files are kept in a filing cabinet, which is always locked when not in use.
- Correspondence in relation to a child is read, any actions noted, and filed immediately
- Access to children's personal files is restricted to those authorised to see them and make entries in them, this being the setting manager, deputy or designated person for child protection, the child's key person, or other staff as authorised by the setting manager.
- Children's personal files are not handed over to anyone else to look at.
- Children's files may be handed to Ofsted as part of an inspection or investigation; they may also be handed to local authority staff conducting a S11 audit as long as authorisation is seen.

We ensure that we collect, hold, use, share and eventually dispose of this information sensitively, appropriately and legally

### **Data Mapping**

All types of personal and sensitive data is logged, mapped and stored on the NAS. Data mapping is an ongoing piece of work that is reviewed and updated at monthly Leadership meetings.

### **Further guidance**

Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers. (HMG 2018)

### **Subject access requests**

Individuals are entitled to request a copy of their data held by Springboard. Information must be provided within 30 days of receipt of request. If the request for information is not clear, the manager must receive legal guidance, for instance, from Law-Call of the Early Years Alliance. In some instances it may be necessary to allow extra time in excess to the 30 days to respond to the request. An explanation must be given to the parent where this is the case. The maximum extension time is 2 months.

A fee may be charged to the parent for additional requests for the same material, or any requests that will incur excessive administration costs.

### **Making a Complaint**

If a data subject feels their data has been misused or not kept secure, the data controller should be contacted. The Springboard complaints procedure can be initiated (policy available on request or on Springboard website: [www.springboardweb.org.uk](http://www.springboardweb.org.uk) )

If the response/outcome is not satisfactory, or for advice, the Information Commissioner's Office (ICO) should be contacted:

casework@ico.org.uk  
Telephone: 0303 123 1113  
Information Commissioner's Office  
Wycliffe House Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

### **Security, retention and destruction**

Documents and records (hard copies and electronic) are stored and eventually destroyed according to Springboard's 'Retention, Storage and Security of Documents and Records Policy'.

Any security breach will be reported to the ICO within 72 hours. This includes accidental or unlawful destruction, loss, alteration, disclosure or access to personal data. If the breach is unlikely to risk subjects rights or freedoms it will not be reported, but logged internally.

### **Right to be forgotten**

In some circumstance a data subject can ask for information about them to be erased. The data controller will respond to any request and comply with GDPR.

### **Rectification**

All information held must be accurate, and to this end Springboard will regularly update records.

**Legal references**

General Data Protection Regulation 2018

Freedom of Information Act 2000

Human Rights Act 1998

Statutory Framework for the Early Years Foundation Stage (DfE 2021)

Data Protection Act 2018

This policy was adopted at a meeting of Springboard Opportunity Group's Board of Trustees	
Held on	7.3.22
Date to be reviewed	Spring 2025
Signed on behalf of the Board of Trustees	
Name of signatory	Elizabeth Manning
Role	Chair of trustees