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**ROSC**

**Data Protection Policy**

AtRiverside Out of School Care we respect the privacy of the children attending our service and the privacy of their parents or carers, as well as the privacy of our staff. Our aim is to ensure that all those using and working at Riverside Out of School Care can do so with confidence that their personal data is being kept secure.

The General Data Protection Regulation (GDPR) is a recent regulation in EU law on data protection and privacy for all individuals within the European Union (EU). GDPR aims primarily to give control to the public over their personal data. To be able to demonstrate compliance with GDPR, we have implemented measures which meet the principles of data protection.

Our lead person for data protection is Heather Young. The lead person ensures that our service meets the requirements of the GDPR, continually audits how ROSC handles data, liaises with statutory bodies when necessary, and responds to any subject access requests.

**Confidentiality**

Within our service we respect confidentiality in the following ways:

* We will only ever share information with a parent about their own child.
* Information given by parents to staff about their child will not be passed on to third parties without permission unless there is a safeguarding issue (as covered in our **Child Protection Policy**).
* Concerns or evidence relating to a child’s safety, will be kept in a confidential file and will not be shared within the service, except with the designated Child Protection Officer and the manager.
* Staff are made aware of the importance of confidentiality during their induction process.
* Issues relating to the employment of staff, whether paid or voluntary, will remain confidential to those making personnel decisions.
* All personal data is stored securely within locked filing cabinets, in a lockable file / on password protected computers and a passcode-locked phone.
* Students on work placements and volunteers are informed of our Data Protection policy and are required to respect it.
* Committee members must be familiar with the GDPR, maintain confidentiality and adhere to its principles. Committee members will be required to sign a confidentiality agreement.

**Information that we keep**

We will complete and hold a Personal Data Audit detailing what information we hold, how and where we hold it, who we share it with and how long it should be retained. This will be regularly updated. We will also follow ROSC’s Data Management guidelines that details the procedures more fully.

*Children and parents:* We hold only the information necessary to provide a childcare service for each child. This includes child registration information, individual care plans, observation logs, chronologies, medical information, parent contact information, attendance records, incident and accident records and so forth. Registration forms and care plans will be updated every six months to comply with Scottish legislation. Once a child leaves our care we retain only the data required by statutory legislation and industry best practice, and for the prescribed periods of time as detailed in the Personal Data Audit. Electronic data that is no longer required is deleted and paper records are disposed of securely.

*Staff:* We keep information about employees in order to meet HMRC requirements, and to comply with all other areas of employment legislation. We retain the information after a member of staff has left our employment for the recommended period of time as detailed in the Personal Data Audit, then it is deleted or destroyed as necessary.

**Sharing information with third parties**

We will only share child information with outside agencies on a need-to-know basis and with consent from parents, except in cases relating to safeguarding children, criminal activity, or if required by legally authorised bodies (e.g. Police, HMRC, etc). If we decide to share information without parental consent, we will record this in the child’s file, clearly stating our reasons.

We will only share relevant information that is accurate and up to date. Our primary commitment is to the safety and well-being of the children in our care.

Some limited personal information is disclosed to authorised third parties we have engaged to process it, as part of the normal running of our business, to manage our payroll, fee software and accounts. Any such third parties comply with the strict data protection regulations of the GDPR.

**Subject access requests**

* Parents/carers can ask to see information and records relating to their child, and/or any information that we keep about themselves.
* Staff and volunteers can ask to see any information that we keep about them.
* We will make the requested information available as soon as practicable and will respond to the request within one month at the latest.
* If we refuse a request it will be because it is manifestly unfounded or excessive. We will tell the individual why and that they have the right to complain to the Information Commissioner’s Office (ICO).
* If our information is found to be incorrect or out of date, we will update it promptly.
* If any individual about whom we hold data has a complaint about how we have kept their information secure, or how we have responded to a subject access request, they may complain to the Information Commissioner’s Office (ICO).

**GDPR**

We comply with the requirements of the General Data Protection Regulation (GDPR), regarding obtaining, storing and using personal data.

**Data Breach**

The GDPR introduces a duty on all organisations to report certain types of data breach to the ICO. ROSC’s Manager will notify the ICO of any breaches that are likely to result in a risk to the rights and freedoms of individuals including loss of confidentiality.

**Staff training**

Staff will be regularly trained about GDPR and have a responsibility to read through all policies and procedures relating to GDPR and follow these. Staff will be updated when there is a change in policy or procedure. GDPR will be included in the induction process and staff will be required to sign a confidentiality agreement before commencing employment.

**Responsibilities**

It is the responsibility of the ROSC Manager and Committee to monitor and review this policy.