

# GDPR and Record Retention Policy



## Policy Statement

Early Years Nurseries Ltd and the local Early Years Day Nursery act as Data Controllers (as defined under Data Protection Legislation) in relation to the personal data collected and processed for the operation of the nursery.

We are committed to ensuring that all personal data is handled lawfully, fairly, and transparently, and that appropriate security measures are in place to protect it.

## Definitions

For the purpose of this policy:

- **Data Protection Legislation** refers to all applicable UK data protection laws, including the UK GDPR, Data Protection Act 2018, and the Privacy and Electronic Communications Regulations 2003
- **Data Subject** means the individual to whom the personal data relates
- **Data Subject Request** means a request made by an individual to exercise their legal rights
- **Personal Data** means any information relating to an identifiable individual
- **Personal Data Breach** means any breach of security leading to loss, destruction, alteration, or unauthorised access to personal data

## Responsibilities

While Early Years Nurseries Ltd provides support and resources, each nursery is responsible for its own compliance with Data Protection Legislation.

The nursery will:

- Provide a privacy notice to employees, applicants, parents, and prospective parents
- Ensure personal data is collected and processed only where necessary and lawful
- Implement appropriate technical and organisational security measures
- Maintain accurate and up to date records of data processing activities
- Ensure all staff understand their data protection responsibilities

## Data Protection Requirements

The nursery must:

- Comply with all Data Protection Legislation and internal policies
- Only process personal data for legitimate and necessary purposes
- Not cause any breach of data protection laws through actions or omissions
- Ensure secure storage and handling of all personal data
- Not share or process data with third parties without appropriate safeguards

## Data Subject Requests (DSARs)

- All Data Subject Requests must be reported to Early Years Nurseries Ltd within **3 days of receipt**
- The nursery will cooperate fully to ensure responses are provided within legal timeframes
- Appropriate records of requests and responses will be maintained

## Data Breach Procedure

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In the event of a Personal Data Breach:

- The nursery must notify Early Years Nurseries Ltd **within 12 hours** of becoming aware
- Full details of the breach must be provided
- Immediate action must be taken to contain and mitigate the breach
- All breaches will be recorded and reviewed

Where required, breaches will be reported to the **Information Commissioner's Office (ICO)**.

## Data Transfers

- Personal data must not be transferred outside the UK or EEA without prior written consent and appropriate safeguards

## Audits and Compliance

The nursery will:

- Maintain accurate records of all data processing activities
- Provide access for audits when required
- Address any identified non-compliance promptly

## Record Retention

Personal data will only be retained for as long as necessary. Records will be securely disposed of once the retention period has expired

Business function	Document examples	Retention period
<b>HR</b>	Employee data, including all information on personnel files e.g. CVs, application form, DBS, right to work, sickness information, disciplinary information, training certificates, probation, appraisal and performance data	7 years post-employment
	Training records	Current year plus 3 years
	Data relating to ex-employee claims/threats/SAR	2 years after claim/SAR concluded, or 6 years post-employment whichever is later
	Candidate application forms/CVs and accompanying documentation, Interview and application form (of applicants who aren't successful)	6 months post-date of recruitment decision
	Supporting documents for DBS check (not birth certificate or passport as these prove Right to Work entitlement)	6 months post-date of check
<b>Finance and property</b>	Insurance policy documents/claim history Employers' liability insurance records	Current year plus 6 years, or 6 years after case concluded, whichever is the later

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	Public liability insurance records	
	Paying in books, ledger, invoices, receipts, bank statements, petty cash books	Current year plus 6 years
	Budget reports/budget documentation	Current year plus 3 years
	Title deeds	Forever
	Annual Accounts	Current year plus 6 years
<b>Health and Safety</b>	Risk Assessments	Current year plus 3 years
	Health and Safety checks – kitchen checks, EHO	12 Months
	Servicing; including, Fire records, emergency lighting, PAT, gas, boiler	Current year plus 3 years
	Outings, cleaning rotas and First Aid Box checks	12 Months
<b>Operational</b>	Nappy, meal, sleep, bottle charts	3 Months then shred
	Room Planning	3 Months then shred
	Kitchen daily dietary sheet	3 Months then shred
	Staff meeting minutes	12 Months
	Accident & medication forms (including death) Safeguarding – for children	21 Years 3 Months
	Accident forms – for staff	7 Years
	Children personal information	5 Years
	SEN information	5 Years
	Health and Safety within the room (opening/close/garden checks)	12 Months
	Funding children information	6 Years