



# Ballygawley Early Years Playgroup

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## Data Management Policy (including Privacy Notice)

This policy is intended to ensure the effective, efficient and compliant management of information and data held and used by Ballygawley Early Years Playgroup. The policy statement will support continuous improvement in the organisation's core activities, provide evidence of corporate governance, and facilitate compliance with statutory requirements.

Ballygawley Early Years is fully committed to compliance with the requirements of the GDPR (General Data Protection Regulation) and aims to ensure that only relevant information is collected, processed and stored appropriately. In line with the GDPR, Ballygawley Early Years has developed clear procedures to protect personal data, and has adopted appropriate technical and organisational measures to remain compliant.

The Data Management Policy applies to all staff, committee members, volunteers and other individuals or partner organisations undertaking collaborative activities. The policy covers all information and data held by the organisation whether held electronically or in hard copy.

### **Policy:**

In order to operate efficiently, Ballygawley Early Years must collect and use appropriate and relevant information. In addition, it may be required to collect and use information in order to comply with funders and partner organisation requirements.

The Data Management Policy is designed to ensure that Ballygawley Early Years manages data and information in ways which support business efficiency, legal requirements and the rights of individuals. As part of its commitment to the GDPR Ballygawley Early Years will adhere to the legislation and the following Data Management Principles (please refer to the ICO (Information Commissioner's Office) website, [www.ico.org.uk](http://www.ico.org.uk), which explains in more detail the purpose and effect of each principle, with practical examples and answers to frequently asked questions).

### **Data Management Principles:**

Under the GDPR, the data protection principles set out the main responsibilities for organisations. Article 5 of the GDPR requires that personal data will be:

- (i) Processed lawfully, fairly and in a transparent manner in relation to individuals



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- (ii) Collected for specified, explicit and legitimate purposes and not further processed in a manner which is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes will not be considered to be incompatible with the initial purposes.
- (iii) Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- (iv) Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data which are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.
- (v) 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; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals.
- (vi) Processed in a manner which 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.

There is a new addition to the GDPR, which is known as the 'accountability principle' which is reflected in Article 5(2). Article 5(2) requires that "the controller shall be responsible for, and be able to demonstrate, compliance with the principles."

## **Procedures:**

This policy will be implemented via the introduction of a Data Management Procedure. All staff are expected to comply with the procedures which support this policy.

## **Responsibility:**

All staff, committee members, volunteers, other individuals and partner organisations are responsible for following this policy and adhering to data and information management procedures. All staff are responsible for ensuring accurate information and data management procedures are followed in their work. This includes the collation of data, the processing of information and the systems and practices used. Staff have



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responsibility to ensure that their activities comply with the Data Management Principles. Staff should not disclose information or data to persons who are not authorised to receive it or outside the organisation's procedures, or use information or data held on others for their own purposes.

All staff are responsible for documenting their work and keeping records in line with Ballygawley Early Years Playgroup's policies and procedures, disclosing information only to those who need to have access to it in the course of their duties. Staff will not retain information for longer than is required for a particular purpose.

Committee Members and the Leader are responsible for ensuring the implementation of the Data Management Policy and Procedures and that all staff are aware of their responsibilities under this Policy, reporting and dealing with any suspected breach. Committee Members have responsibility to ensure that only relevant information is collected, processed and stored appropriately in accordance with current and future legislation. Committee members are responsible for providing adequate and appropriate electronic and physical storage facilities to support record-keeping across the organisation.

## **Training:**

The Management Committee and the Leader will identify, and provide staff with access to, training, support, guidance and advice on data management and any further training necessary to ensure compliance with the GDPR.

## **Protocol for Reporting Breaches:**

A data security breach can happen for several reasons including inadequate password protection, human error, eg sending data to the wrong person, leaving a computer unattended, and hacking. In the event of a data security breach, the matter must be logged and reported immediately upon discovery to the Management Committee. The Committee will take appropriate action in line with the GDPR and their own Policies and Procedures. The nature and cause of the breach must be identified to ensure the breach does not reoccur. The Committee will appoint a member of the office-bearers to be responsible for breach recording and reporting.

## **Privacy Notice for Parents/Carers**

The information in our Privacy Notice describes how Ballygawley Early Years manages your/your child's personal information in accordance with the law and your rights. It does not cover every situation, so please read notices on forms, web pages and other points



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where you give us information about yourself. These will describe the specific uses we make of the information, the reasons and legal basis for holding it, as well as your rights.

Under data protection law, individuals have a right to be informed about how the Playgroup uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **children and their parents/carers**.

We, Ballygawley Early Years Playgroup, are the 'data controller' for the purposes of data protection law.

Our data protection officer is the Playgroup Leader, currently Gillian Robinson (Playgroup Leader). Gillian can be contacted on 028 855 67411, or by email at [ballygawleyearlyyears@hotmail.com](mailto:ballygawleyearlyyears@hotmail.com).

## **The types of personal data we collect**

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Personal information such as name, contact details, contact preferences, date of birth, identification documents, application forms
- Children's progress evidenced through learning observations and reports
- Characteristics, such as ethnic background or special educational needs
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers e.g. speech and language therapy
- Photographs

We may also hold data about pupils that we have received from other organisations or bodies, including other playgroups, Sure Start, health professionals, local authorities and the Education Authority

## **Why we use this data**

We use this data to:

- Support children's learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect children's welfare
- Assess the quality of our services



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- Administer admissions and waiting lists
- Carry out research
- Comply with the law regarding data sharing
- Provide information required by Social Services / Education Authority

## **Our legal basis for using this data**

Ballygawley Early Years Playgroup collect and use children's information under the Education Act (Northern Ireland) 2014. We only collect and use children's personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process children's personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent and explain how consent can be withdrawn. Parents/carers are asked to sign a number of consents at the start of the year and are given hard copies of key policies (see Consent Policy for further information).

Some of the reasons listed above for collecting and using children's personal data overlap, and there may be several grounds which justify our use of this data.

## **Collecting this information**

While the majority of information we collect about children is mandatory, there is some information that can be provided voluntarily. Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

## **How we store this data**

We keep personal information about children while they are attending the Playgroup. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. We keep information for the length of time set out in the guidance from Early Years / Social Services / the Education Authority (see Management of Records Policy for timescales). All information is stored and destroyed securely.

## **Data sharing**

Your privacy is important to us. We will never sell your details to another organisation or share them with any other body for marketing purposes. We will always communicate with you according to the preference you have expressed. We do not share information



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about pupils with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils with:

- The schools children will be attending after Playgroup
- The child's family and representatives
- The Education Authority
- Social Services
- Health authorities
- Health and social welfare organisations
- Professional advisers and consultants
- Education Training Inspectorate

## **Parents and pupils' rights regarding personal data**

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent. Parents also have the right to make a subject access request with respect to any personal data the Playgroup holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please contact our data protection officer.

Parents/carers also have a legal right to access to their child's **educational record**. To request access, please contact our data protection officer.

## **Other rights**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:



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- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used for the purposes of direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

## **Complaints**

We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

*The Information Commissioner's Office - Northern Ireland*

3rd Floor 14 Cromac Place,

Belfast

BT7 2JB

Telephone: 028 9027 8757 / 0303 123 1114.

Email: [ni@ico.org.uk](mailto:ni@ico.org.uk)

## **Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **Data Protection Officer**:

- Gillian Robinson: 028 855 67411, or by email at [ballygawleyearlyyears@hotmail.com](mailto:ballygawleyearlyyears@hotmail.com).



# Ballygawley Early Years Playgroup

This policy was adapted at a meeting of our playgroup held on the 30th May 2023

## Monitoring

This policy will be reviewed annually by the management team to ensure it remains fit for purpose.

This policy was reviewed by the Ballygawley Early Years Management Committee on:

Date: 07/005/2024

Signed:

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(on behalf of the Management Committee)

Name and Position: Caroline Buchanan, Chairperson

Reviewed on:

Date: ..... Signed:.....

Position:.....

Date: ..... Signed:.....

Position:.....

Date: ..... Signed:..... Position:.....

## This policy links with the following policies;

- Safeguarding Children and Child Protection policy
- ICT (including E-Safety and Social Networking) policy
- Mobile Phone policy
- Confidentiality and Client Access to Records policy (includes storage and destruction of records)
- Employment Policies (staff folder)
- Promoting Positive Behaviour policy
- Management of Records policy