

## General Data Protection Regulation Policy

### **Statement**

GDPR stands for General Data Protection Regulation and replaces the previous Data Protection

Directives that were in place. It was approved by the EU Parliament in 2016 and comes into effect on 25th May 2018.

GDPR states that personal data should be 'processed fairly & lawfully' and 'collected for specified, explicit and legitimate purposes' and that individuals data is not processed without their knowledge and are only processed with their 'explicit' consent. GDPR covers personal data relating to individuals. Ellen Jane School Of Dance is committed to protecting the rights and freedoms of individuals with respect to the processing of children's, parents, visitors and staff personal data.

The Data Protection Act gives individuals the right to know what information is held about them. It provides a framework to ensure that personal information is handled properly.

Ellen Jane School Of Dance is registered with the ICO (Information Commissioners Office) under registration reference: A8277892  
Certificates can be seen if asked for.

### **GDPR includes 7 rights for individuals**

#### 1) [The right to be informed](#)

Ellen Jane School of Dance is a registered Dance School with BTDA and as so, is required to collect and manage certain data. We need to know parent's names, addresses, telephone numbers, email addresses. We need to know children's' full names, addresses, date of birth and Education school, along with any SEN requirements. We use this data when entering students for exams, competitions and for the use of the dance school.

As an employer the Ellen Jane School Of Dance is required to hold data on its Teachers; names, addresses, email addresses, telephone numbers, date of birth, photographic ID such as passport and driver's license, bank details. This information is also required for Disclosure and Barring Service checks (DBS) and proof of eligibility to work in the UK. This information is sent via a secure file transfer system to Due Diligence for the processing of DBS checks. DBS Numbers and date of issue are also held on a central staffing record and also for parents of the school who have gone through Due Diligence for their DBS checks to become police checked for use at competitions.

Ellen Jane School Of Dance uses Cookies on its website to collect data for Google Analytics, this data is anonymous.

## 2) The right of access

At any point an individual can make a request relating to their data and Ellen Jane School Of Dance will need to provide a response (within 1 month). Ellen Jane School Of Dance can refuse a request, if we have a lawful obligation to retain data but we will inform the individual of the reasons for the rejection. The individual will have the right to complain to the ICO if they are not happy with the decision.

## 3) The right to erasure

You have the right to request the deletion of your data where there is no compelling reason for its continued use. However Ellen Jane School Of Dance has a legal duty to keep children's and parents details for a reasonable time\*, Ellen Jane School Of Dance retain these records for 3 years after leaving the school, children's accident and injury records for 19 years (or until the child reaches 21 years), and 22 years (or until the child reaches 24 years) for Child Protection records. Staff records must be kept for 6 years after the member of leaves employment, before they can be erased. This data is archived securely on computer records and shredded after the legal retention period.

## 4) The right to restrict processing

Parents, visitors and staff can object to Ellen Jane School Of Dance processing their data. This means that records can be stored but must not be used in any way, for example reports or for communications.

## 5) The right to data portability

Ellen Jane School of Dance requires data to be transferred from one IT system to another; such as from Ellen Jane School Of Dance to the Local Authority, for performance BOPA licences, dance Associations for examinations or to Organisers relating to competitions. These recipients use secure file transfer systems and have their own policies and procedures in place in relation to GDPR.

## 6) The right to object

Parents, visitors and staff can object to their data being used for certain activities like marketing or research.

## 7) The right not to be subject to automated decision-making including profiling.

Automated decisions and profiling are used for marketing based organisations. Ellen Jane School Of Dance does not use personal data for such purposes.

## Storage and use of personal information

All paper copies of children's and staff records are kept in a locked filing cabinet at my home address. Members of staff can have access to these files but information taken from the files about individual children is confidential and apart from archiving, these records remain at this address at all times. These records are shredded after the retention period.

Information about individual children is used in certain documents, such as, a weekly register, sign in and out sheet. These documents include data such as children's names. These records are shredded after the relevant retention period.

Ellen Jane School Of Dance collects a large amount of personal data every year including; names and addresses of those on the waiting list. These records are shredded if the child does not attend or added to the child's file and stored appropriately.

Ellen Jane School Of Dance stores personal data held visually in photographs or video clips or as sound recordings, only if written consent has been obtained by filling out and signing a declaration form. No names are stored with images in photo albums either on display boards or on the website. Our website is password protected to ensure non-members cannot view any data

Access to all Office computers is password protected. When a member of staff leaves the company these passwords are changed in line with this policy and our Safeguarding policy. Any portable data storage used to store personal data, e.g. USB memory stick, are password protected and/or stored in a locked filing cabinet.

GDPR means that Ellen Jane School Of Dance must;

- \* Manage and process personal data properly
- \* Protect the individual's rights to privacy
- \* Provide an individual with access to all personal information held on them

This Policy was implemented for the Ellen Jane School Of Dance in April 2018  
Signed on behalf of Ellen Jane School Of Dance

Miss E J Goodbun

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..... Policy review date: APRIL 2019

## Retention periods for records

Children's records	Retention period	Status	Authority
Children's records - including registers, medication record books and accident record books pertaining to the children	A reasonable period of time after children have left the provision (e.g. until after the next Ofsted inspection)	Requirement	Statutory Framework for the Early Years Foundation Stage (given legal force by Childcare Act 2006)
	Until the child reaches the age of 21 - or until the child reaches the age of 24 for child protection records	Recommendation	Limitation Act 1980  Normal limitation rules (which mean that an individual can claim for negligently caused personal injury up to 3 years after, or deliberately caused personal injury up to 6 years after the event) are postponed until a child reaches 18 years of age
Records of any reportable death, injury, disease or dangerous occurrence	3 years after the date the record was made	Requirement	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (as amended)
Personnel records	Retention period	Status	Authority

Personnel files and training records (including disciplinary records and working time records)	6 years after employment ceases	Recommendation	Chartered Institute of Personnel and Development
DBS check	6 months	Recommendation	<p>DBS Code of Practice</p> <p>The following basic information should be retained after the certificate is destroyed: the date of issue; the name of the subject; the type of disclosure; the position for which the disclosure was requested; the unique reference number; and the details of the recruitment decision taken</p>
<i>Pay</i>			
Wage/salary records (including overtime, bonuses and expenses)	6 years	Requirement	Taxes Management Act 1970
Statutory Maternity Pay (SMP) records	3 years after the end of the tax year to which they relate	Requirement	The Statutory Maternity Pay (General) Regulations 1986
Statutory Sick Pay (SSP) records	3 years after the end of the tax year to which they relate	Requirement	The Statutory Sick Pay (General) Regulations 1982

Income tax and National Insurance returns/records	At least 3 years after the end of the tax year to which	Requirement	The Income Tax (Employments) Regulations 1993 (as

	they relate		amended)
Redundancy details, calculations of payments, refunds, notification to the Secretary of State	6 years after employment ends	Recommendation	Chartered Institute of Personnel and Development
<i>Health and safety</i>			
Staff accident records (for organisations with 10 or more employees)	3 years after the date the record was made (there are separate rules for the recording of accidents involving hazardous substances)	Requirement	Social Security (Claims and Payments) Regulations 1979
Records of any reportable death, injury, disease or dangerous occurrence	3 years after the date the record was made	Requirement	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (as amended)

Accident/medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH)	40 years from the date of the last entry	Requirement	The Control of Substances Hazardous to Health Regulations 2002 (COSHH)
Assessments under Health and Safety Regulations and records of consultations with safety representatives	Permanently	Recommendation	Chartered Institute of Personnel and Development
<b>Financial records</b>	<b>Retention period</b>	<b>Status</b>	<b>Authority</b>
Accounting records	3 years from the end of the financial year for private companies, 6 years for PLC	Requirement	Companies Act 2006
	6 years for charities	Requirement	Charities Act 2011

<b>Administration records</b>	<b>Retention period</b>	<b>Status</b>	<b>Authority</b>
Employers' liability insurance records	For as long as possible	Recommendation	Health and Safety Executive

Minutes/minute books	10 years from the date of the meeting for companies	Requirement	Companies Act 2006
	6 years from the date of the meeting for Charitable Incorporated Organisations	Requirement	The Charitable Incorporated Organisations (General) Regulations 2012
	Permanently	Recommendation	Chartered Institute of Personnel and Development