

# GDPR + RECORD KEEPING | POLICY

## GDPR:

### **POLICY STATEMENT:**

WE RECOGNISE THAT PARENTS HAVE A RIGHT TO KNOW THAT THE INFORMATION THEY SHARE WITH US WILL BE REGARDED AS CONFIDENTIAL, AS WELL AS TO BE INFORMED ABOUT THE CIRCUMSTANCES WHEN, AND THE REASONS WHY, WE ARE OBLIGED TO SHARE INFORMATION.

WE RECORD AND SHARE INFORMATION ABOUT CHILDREN AND THEIR FAMILIES (DATA SUBJECTS) IN LINE WITH THE SIX PRINCIPLES OF THE GENERAL DATA PROTECTION REGULATIONS (GDPR) (2018) WHICH ARE FURTHER EXPLAINED IN OUR PRIVACY NOTICE THAT IS GIVEN TO PARENTS AT THE POINT OF REGISTRATION. THE SIX PRINCIPLES STATE THAT PERSONAL DATA MUST BE:

1. PROCESSED FAIRLY, LAWFULLY AND IN A TRANSPARENT MANNER IN RELATION TO THE DATA SUBJECT.
2. COLLECTED FOR SPECIFIED, EXPLICIT AND LEGITIMATE PURPOSES AND NOT FURTHER PROCESSED FOR OTHER PURPOSES INCOMPATIBLE WITH THOSE PURPOSES.
3. ADEQUATE, RELEVANT AND LIMITED TO WHAT IS NECESSARY IN RELATION TO THE PURPOSES FOR WHICH DATA IS PROCESSED.
4. ACCURATE AND WHERE NECESSARY, KEPT UP TO DATE.
5. KEPT IN A FORM THAT PERMITS IDENTIFICATION OF DATA SUBJECTS FOR NO LONGER THAN IS NECESSARY FOR THE PURPOSES FOR WHICH THE DATA IS PROCESSED.
6. PROCESSED IN A WAY THAT ENSURES APPROPRIATE SECURITY OF THE PERSONA DATA INCLUDING PROTECTION AGAINST ACCIDENTAL LOSS, DESTRUCTION OR DAMAGE, USING APPROPRIATE TECHNICAL OR ORGANISATIONAL MEASURES

WE OBLIGED TO SHARE CONFIDENTIAL INFORMATION WITHOUT AUTHORISATION FROM THE PERSON WHO PROVIDED IT, OR TO WHOM IT RELATES, IF IT IS IN THE PUBLIC INTEREST. THAT IS WHEN:

- IT IS TO PREVENT A CRIME FROM BEING COMMITTED OR TO INTERVENE WHERE ONE MAY HAVE BEEN, OR TO PREVENT HARM TO A CHILD OR ADULT; OR
- NOT SHARING IT COULD BE WORSE THAN THE OUTCOME OF HAVING SHARED IT.

GROUP PROVISION: THE RESPONSIBILITY FOR DECISION-MAKING SHOULD NOT RELY SOLELY ON AN INDIVIDUAL, BUT SHOULD HAVE THE BACK-UP OF THE MANAGEMENT TEAM. THE MANAGEMENT TEAM PROVIDE CLEAR GUIDANCE, POLICY AND PROCEDURES TO ENSURE ALL STAFF AND VOLUNTEERS UNDERSTAND THEIR INFORMATION SHARING RESPONSIBILITIES AND ARE ABLE TO RESPOND IN A TIMELY, APPROPRIATE WAY TO ANY SAFEGUARDING CONCERNS.

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## PROCEDURES:

OUR PROCEDURE IS BASED ON THE GDPR PRINCIPLES AS LISTED ABOVE AND THE SEVEN GOLDEN RULES FOR SHARING INFORMATION IN THE INFORMATION SHARING ADVICE FOR PRACTITIONERS PROVIDING SAFEGUARDING SERVICES TO CHILDREN, YOUNG PEOPLE, PARENTS AND CARERS. WE ALSO FOLLOW THE GUIDANCE ON INFORMATION SHARING FROM THE LOCAL SAFEGUARDING CHILDREN BOARD.

1. REMEMBER THAT THE GENERAL DATA PROTECTION REGULATIONS 2018 AND HUMAN RIGHTS LAW ARE NOT BARRIERS TO JUSTIFIED INFORMATION SHARING AS PER THE CHILDREN ACT 1989, BUT PROVIDE A FRAMEWORK TO ENSURE THAT PERSONAL INFORMATION ABOUT LIVING INDIVIDUALS IS SHARED APPROPRIATELY.
2. OUR POLICY AND PROCEDURES ON INFORMATION SHARING PROVIDE GUIDANCE TO APPROPRIATE SHARING OF INFORMATION [BOTH WITHIN THE SETTING, AS WELL AS] WITH EXTERNAL AGENCIES.
3. BE OPEN AND HONEST WITH THE INDIVIDUAL (AND/OR THEIR FAMILY WHERE APPROPRIATE) FROM THE OUTSET ABOUT WHY, WHAT, HOW AND WITH WHOM INFORMATION WILL, OR COULD BE SHARED, AND SEEK THEIR CONSENT, UNLESS IT IS UNSAFE OR IF WE HAVE A LEGAL OBLIGATION TO DO SO. A PRIVACY NOTICE IS GIVEN TO PARENTS AT THE POINT OF REGISTRATION TO EXPLAIN THIS FURTHER.

IN OUR SETTING WE ENSURE PARENTS:

- COMPLETE A MEMBERSHIP FORM ANNUALLY BEFORE THEIR CHILD(REN) CAN ATTEND OUR CLUBS.
- HAVE INFORMATION ABOUT OUR SAFEGUARDING CHILDREN AND CHILD PROTECTION POLICY;
- HAVE INFORMATION ABOUT THE OTHER CIRCUMSTANCES WHEN INFORMATION WILL BE SHARED WITH EXTERNAL AGENCIES, FOR EXAMPLE, WITH REGARD TO ANY SPECIAL NEEDS THE CHILD MAY HAVE OR TRANSITION TO SCHOOL.

SEEK ADVICE FROM OTHER PRACTITIONERS IF YOU ARE IN ANY DOUBT ABOUT SHARING THE INFORMATION CONCERNED, WITHOUT DISCLOSING THE IDENTITY OF THE INDIVIDUAL WHERE POSSIBLE.

- OUR STAFF DISCUSS CONCERNS ABOUT A CHILD ROUTINELY IN SUPERVISION AND ANY ACTIONS ARE RECORDED IN THE CHILD'S FILE.
- FOR GROUP PROVISION: OUR MANAGER ROUTINELY SEEKS ADVICE AND SUPPORT FROM THEIR LINE MANAGER ABOUT POSSIBLE SIGNIFICANT HARM.
- FOR GROUP PROVISION: OUR SAFEGUARDING CHILDREN AND CHILD PROTECTION POLICY SETS OUT THE DUTY OF ALL MEMBERS OF OUR STAFF TO REFER CONCERNS TO OUR MANAGER OR DEPUTY, AS DESIGNATED PERSON, WHO WILL CONTACT CHILDREN'S SOCIAL CARE FOR ADVICE WHERE THEY HAVE DOUBTS OR ARE UNSURE.
- OUR MANAGERS SEEK ADVICE IF THEY NEED TO SHARE INFORMATION WITHOUT CONSENT TO DISCLOSE.
- SHARE WITH INFORMED CONSENT WHERE APPROPRIATE AND, WHERE POSSIBLE, RESPECT THE WISHES OF THOSE WHO DO NOT CONSENT TO SHARE CONFIDENTIAL INFORMATION. YOU MAY STILL SHARE INFORMATION WITHOUT CONSENT IF, IN YOUR JUDGEMENT, THERE IS GOOD REASON TO DO SO, SUCH AS WHERE SAFETY MAY BE AT RISK. YOU WILL NEED TO BASE YOUR JUDGEMENT ON THE FACTS OF THE CASE. WHEN YOU ARE SHARING OR REQUESTING PERSONAL INFORMATION FROM SOMEONE, BE CERTAIN OF THE BASIS UPON WHICH YOU ARE

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DOING SO. WHERE YOU HAVE CONSENT, BE MINDFUL THAT AN INDIVIDUAL MIGHT NOT EXPECT INFORMATION TO BE SHARED.

- WE BASE DECISIONS TO SHARE INFORMATION WITHOUT CONSENT ON JUDGEMENTS ABOUT THE FACTS OF THE CASE AND WHETHER THERE IS A LEGAL OBLIGATION.
- OUR GUIDELINES FOR CONSENT ARE PART OF THIS PROCEDURE. OUR MANAGER IS CONVERSANT WITH THIS AND SHE IS ABLE TO ADVISE STAFF ACCORDINGLY.
- CONSIDER SAFETY AND WELL-BEING: BASE YOUR INFORMATION SHARING DECISIONS ON CONSIDERATIONS OF THE SAFETY AND WELL-BEING OF THE INDIVIDUAL AND OTHERS WHO MAY BE AFFECTED BY THEIR ACTIONS.

IN OUR SETTING WE:

- RECORD CONCERNS AND DISCUSS THESE WITH OUR DESIGNATED PERSON AND/OR DESIGNATED OFFICER FROM THE MANAGEMENT TEAM FOR CHILD PROTECTION MATTERS;
- RECORD DECISIONS MADE AND THE REASONS WHY INFORMATION WILL BE SHARED AND TO WHOM;
- FOLLOW THE PROCEDURES FOR REPORTING CONCERNS AND RECORD KEEPING AS SET OUT IN.

**LEGAL FRAMEWORK:**

- GENERAL DATA PROTECTION REGULATIONS (GDPR) (2018)
- HUMAN RIGHTS ACT (1998)

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## **RECORD KEEPING:**

### **PURPOSE:**

THIS POLICY IS IN PLACE TO PROVIDE INFORMATION RELATING TO THE LENGTH OF TIME NECESSARY FOR KEEPING RECORDS.

### **SCOPE:**

THIS POLICY COVERS ALL DOCUMENTS STORED BY FIRST SPORTS COACHING, MOST IMPORTANTLY THOSE RELATING TO:

- COMPLAINTS - KEPT FOR 3 YEARS
- CHILDREN'S PERSONAL RECORDS - KEPT FOR 3 YEARS FROM DATE OF LEAVING
- STAFF RECORDS - KEPT AS REQUIRED BY CURRENT LEGISLATION
- ACCIDENT/ INCIDENT FORMS - KEPT FOR 40 YEARS
- PHOTO'S/ VIDEO'S (MEDIA) - KEPT UNTIL USED FOR ADVERTISEMENT, ALL PHOTO'S AND VIDEOS ARE DELETED COMPLETELY AND NOT STORED (MAXIMUM OF 2 MONTHS)

### **RECORDS:**

IN ACCORDANCE WITH THE EARLY YEARS FOUNDATION STAGE, WE KEEP RECORDS OF:

- ADULTS AUTHORISED TO COLLECT CHILDREN FROM CLUB.
- THE NAMES, ADDRESSES AND TELEPHONE NUMBERS OF EMERGENCY CONTACTS IN CASE OF CHILDREN'S ILLNESS OR ACCIDENTS.
- THE ALLERGIES, DIETARY REQUIREMENTS AND MEDICAL HISTORY OF INDIVIDUAL CHILDREN.
- THE TIMES OF ATTENDANCE OF CHILDREN, STAFF, VOLUNTEERS AND VISITORS.

### **METHOD:**

RECORDS ARE KEPT SECURELY ON SITE AND ARE EASILY ACCESSIBLE TO THOSE WHO NEED THEM. RECORDS ARE NOT KEPT FOR LONGER THAN IS NECESSARY, TO THE PURPOSE FOR WHICH THEY WERE ORIGINALLY STORED. ONCE A CHILD HAS LEFT THE CLUB, THEIR PERSONAL RECORDS ARE KEPT ON SITE FOR THREE YEARS AND THEN DESTROYED.