Childminder *Guideline* Data Audit and Record of Processing Activity

Accountability. I comply with the accountability principle of the General Data Protection Regulation Article 5(2) because I have implemented appropriate technical and organizational measures that ensure and demonstrate that I comply:

- I have a Data Protection Policy which describes my responsibilities as a data controller and demonstrates that I am GDPR aware
- I have audited the data I hold (as below) and described the precautions I have taken to store and share information lawfully and safely
- I provide parents with a Privacy Notice so that they are informed of their rights with regard to the information I hold on their child and what I do with the information
- I maintain consent forms, where needed, which are explicit
- I require assistants to sign a Confidentiality Agreement
- I provide my assistants with a Privacy Notice to inform them of their rights and how I process their information

Document or file	Approx. number of data subjects	Data details including special category data	Lawful basis for processing including conditions for special categories of data	Data sharing/ recipients	Description of data storage and safety precautions.	Data retention	Data destruction
Child Record of Information	Child, parents/carers. Family members/ emergency contact person/ *How many children and adults do you have on your records? Approx.*	Information about the child. Contact details of parents. Where the child lives and with whom they reside. Parental responsibility and emergency contact details *Explicit consent of the data subject needed GDPR 9(2)(a) for special categories of data such as race, ethnic origin, health (including special needs).*	Legal obligation GDPR6(1)(c) Safeguarding and Welfare Requirement of the statutory framework: EYFS 2017, 3.5	Data shared with Ofsted as the regulator. Shared with the LADO, the police, Children's Social Services and legal services	*Explain how data is securely stored on a password protected computer/memory stick? Explain safe storage of paper records. If using an app, check if app company comes under EU law, if not, still possible to use if the app company has safeguards and you have parent's consent to use an app company which is based outside EU (see ICO website 'international transfers').*	Until child is 21 years and 3 months, in the case of litigation and to comply with the Limitation Act 1980	Documents deleted or wiped clean on storage devices. Paper documents shredded after the required length of time. *N.B. check terms and conditions with app company. Does company come under EU law?*

Document or file	Number of subjects	Data details	Lawful basis	Data sharing	Data storage	Retention	Destruction
Attendance Register	Children and childminding assistants. *How manyapprox?*	Child's arrival and departure time. Name of childminder assistant/s in attendance.	Legal obligation GDPR6(1)(c) Requirement of the statutory framework: EYFS 2017 3.76 Childcare Register 2016	On the request of Ofsted, police, legal services	*Securely on a password protected computer/memory stick or in paper form?* *Using an app?*	Until child is 21 years and 3 months in the case of litigation to comply with the Limitation Act 1980	Documents deleted or wiped clean on storage devices. Paper documents shredded after the required length of time. *N.B. check if app company comes under EU law*
Accident, Injury (including existing injuries) Administration of Medicine records and Physical Intervention log	Child. Parent/carer.	Child's personal information, staff names and parent name and signature	Legal obligation GDPR6(1)(c) Safeguarding and Welfare Requirement of statutory framework: EYFS 2017, 3.50, 3.46 and Childcare Register 2016 Also on the basis of 'vital interests' GDPR 6(1)(d) and 'legitimate interests' GDPR 6(1)(f)	On the request of Ofsted and emergency services.	*Securely on a password protected computer/memory stick or in paper form?* *Using an app?*	Until child is 21 years and 3 months in the case of litigation to comply with the Limitation Act 1980	Documents deleted or wiped clean on storage devices. Paper documents shredded after the required length of time. *N.B. check if app company comes under EU law*
Welfare/ safeguarding concerns about a child	Child. Parents or carers. Could be family members or other.	Sensitive information on child or family, parents' names and child's name	Legal obligation requirement of the statutory framework EYFS 2017, 3.5 and special category pf personal data Data Protection Act 2018	For safeguarding purposes the data may be shared with Ofsted and other agencies including the LADO, Children's Social Services, the police, legal services	*Securely on a password protected computer/memory stick or in paper form?*	Record should be passed to next setting in line with Keeping Children Safe In Education and NSPCC advice. ***If so, keep a receipt.*** .	*Goddard Inquiry (IICS) advises safeguarding records to be retained permanently. If any possibility of court case now or in future it would be wise to retain records. If you have passed a record to another setting keep the receipt.*

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Complaints Log	Complainant	Child and family details, provider details, sensitive information	Legal obligation GDPR6(1)(c) Requirement of the statutory framework: EYFS 2017, 3.74 and Childcare Register 2016	The log must be made available to Ofsted	*Securely on a password protected computer/memory stick or in paper form?*	Retention for 3 years, see Childcare Register Requirements CR 7.3	Documents deleted or wiped clean on storage devices. Paper documents shredded after the required length of time. *N.B. check terms and conditions with app company*
Consent forms	Child and parent/carers	Child and parent names and signatures of parent and setting	Legal obligation GDPR 6(1)(c) to work in partnership under the EYFS 2017 statutory framework plus 'legitimate interest' 6(1)(f) to provide high quality setting.	Document may be shared with Ofsted and legal services in the case of litigation	*Securely on a password protected computer/memory stick or in paper form?*	Until child is 21 years and 3 months	Documents deleted or wiped clean on storage devices. Paper documents shredded after the required length of time. *N.B. check terms and conditions with app company*
Childcare business contracts	Parent/carers	Contract details between parent and provider.	Contractual necessity for public liability insurance. GDPR6(1)(b)	The document may be shared with HMRC or legal services	*Securely on a password protected computer/memory stick or in paper form?*	For at least 5 years after the 31st January submission deadline for relevant tax year	Documents deleted or wiped clean on storage devices. Paper documents shredded after the required length of time. *N.B. check terms and conditions with app company*
Learning and development observations and summative assessments including 'all about me' two year progress check, transfer records	Child. *How many approx.?*	Photographs, comments and judgements on child's learning, skills and disposition and presentation	Legal obligation GDPR 6(1)(c) Learning and Dev. Reqs. of EYFS. Also 'legitimate interest' GDPR 6(1)(f) to track development effectively. Photo consent can be withdrawn at any time	Shared with Ofsted on request. Shared only with parental consent with Health Visitor, Speech and Language Therapist, SENCO, heath professional	*Securely on a password protected computer/memory stick or in paper form?*	Until a child starts school or leaves to attend a new setting	Documents deleted and storage devices wiped clean after a reasonable period of time to allow childminder to forward the information to parents and the receiving setting.

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Local authority funding form	Child	Child and family personal information including NI details, DOB, eligibility for two year old funding and EYPP codes and 30hour codes	Contractual obligation as required by LA for funding requirements GDPR6(1)(b)	Shared with Ofsted and Dept. for Education	Pioneer system. Password protected. Password changed every 30 days.	Information held on Pioneer as per local authority retention period	Information held on Pioneer as per local authority retention period
Notifications to Ofsted	Members of family/household. Childminding assistant.	Changes to household and staff. Sensitive information relevant to suitability of anyone in household or assistants including health and criminal convictions	Legal obligation GDPR6(1)(c) as required by the Safeguarding and Welfare Requirements statutory framework of the EYFS 2017 3.77	Data may be shared with Ofsted, LADO, police	*Securely on a password protected computer/memory stick or in paper form?*	Three years or until next Ofsted inspection	Documents deleted and storage devices wiped clean after the required period of time
Policies and procedures – acknowledgement of receipt, including receipt of Privacy Notice	Parent/carer	Parent confirmation that policies have been read and understood. Child details and parent and setting signatures	Legitimate interest GDPR 6(1)(f) to provide a high quality service, following the principle of parent partnership in EYFS. Privacy Notice is a legal obligation under GDPR	Documents may be checked by Ofsted and ICO	*Securely on a password protected computer/memory stick or in paper form?*	Deleted once child moves to another setting	Documents deleted or wiped clean on storage devices. Paper documents shredded after the required length of time. N.B. check contract with an app company
Visitors' log	Visitors to household	Date of visit, visitor name, reason for visit and times arriving and departing	Legitimate interest to safeguard children GDPR 6(1)(f)	Document may be shared with Ofsted or police	*Think about how you could keep open visitors' book private!*	*Until next Ofsted inspection? If it is a matter of safeguarding would you retain it permanently?*	Documents deleted or wiped clean on storage devices. Paper documents shredded after the required length of time. *N.B. check contract with an app company*
Financial Records /HMRC	Parents. Childminding assistant	Invoices and receipts with parents' and. child's name.	Legal obligation required by HMRC GDPR6(1)(c)	On request by HMRC	Purchase receipts kept securely. *Password protected computer/memory stick /paper form?*	6 years	Documents deleted/shredded. *Check contract with an app company*

Document or file	Number of subjects	Data details	Lawful basis	Data sharing	Data storage	Retention	Destruction
Staff records	Childminding assistants. *How many?*	Name of staff member Address Telephone Emergency contact numbers Application form References Employment history Qualifications Notes on responses to Interview questions Identity checks Medical suitability and medical requirements DBS number Permission to work in UK, if required – Nat Insurance number Declaration on Disqualification and Disqualification by Association Signed Confidentiality Agreement Copies of letters which have been sent to the staff member, such as invitation to interview/ letter of job offer Contract - terms of employment/contracted hours etc. Induction checklist Record/notes from supervision sessions Annual appraisal forms Record of holidays booked Payment details Bank account details	GDPR 6(1)(b) – The processing is necessary for the performance of a contract with the data subject. GDPR 6(1)(f) – necessary for the purposes of legitimate interests pursued by the controller. Legal obligation GDPR6(1)(c) - in relation to financial/HMRC records *GDPR 9(2)(a) – Explicit consent of the data subject for any data on race, ethnicity, religion, health, special needs, sexual orientation Criminal convictions should be notified to Ofsted. GDPR Legal obligation GDPR6(1)(c)*and *Article 10 for holding data on criminal convictions*	Data shared with Ofsted on request of inspector. HMRC inspector. LADO in the case of safeguarding matters	*Securely on a password protected computer/memory stick or in paper form?* *Note that you provide assistant with a Privacy Notice*	*Once staff member leaves your setting you will have to delete some records and retains others. Financial records should be retained for 6 years*	*Once staff member leaves your setting you will have to delete some records and retain others. Financial records should be retained for 6 years*

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