The Lloyd Williamson Nurseries

Data Protection Policy

2026 – 2027

Updated by Lucy Meyer
Date: 14.10.26
Due for Update: October 2027

Introduction
The Lloyd Williamson Nurseries collects and uses personal information about staff, children, parents and other individuals who come into contact with the nurseries. This information is gathered in order to enable us to provide education and other associated functions. In addition, there may be a legal requirement to collect and use information to ensure that we comply with statutory obligations.

The Lloyd Williamson Nurseries is registered, as Data Controllers, with the Information Commissioner's Office (ICO) detailing the information held and its use. These details are available for you to view on the ICO's website. We also have a Fair Processing Notice which is used to summarise the information held on pupils, why it is held and the other parties to whom it may be passed on. The fair processing notice is available upon request at the main office.

Purpose
This policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with the Data Protection Act 2018 and the Data (Use and Access) Act 2025, and other related legislation. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically.

All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by adhering to these guidelines. All staff at the Lloyd Williamson Nurseries, regardless of their position, undergoes data protection training prior to starting and undergo training at least annually.

What is Personal Information?
Personal information or data is defined as data which relates to a living individual who can be identified from that data, or other information held.

Data Protection Principles
The Data Protection Act 1998 establishes eight enforceable principles that must be adhered to at all times:

1. Personal data shall be processed fairly and lawfully;
2. Personal data shall be obtained only for one or more specified and lawful
3. purposes;
4. Personal data shall be adequate, relevant and not excessive;
5. Personal data shall be accurate and where necessary, kept up to date;
6. Personal data processed for any purpose shall not be kept for longer than is necessary for that purpose or those purposes;
7. Personal data shall be processed in accordance with the rights of data

8. subjects under the Data Protection Act 1998;
9. Personal data shall be kept secure i.e. protected by an appropriate degree of security;
10. Personal data shall not be transferred to a country or territory outside the
11. European Economic Area, unless that country or territory ensures an adequate level of data protection.

General Statement
The Lloyd Williamson Nurseries is committed to maintaining the above principles at all times. Therefore the school will:

- Inform individuals why the information is being collected when it is collected
- Inform individuals when their information is shared, and why and with whom it was shared
- Check the quality and the accuracy of the information it holds
- Ensure that information is not retained for longer than is necessary
- Ensure that when obsolete information is destroyed that it is done so appropriately and securely
- Ensure that clear and robust safeguards are in place to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded
- Share information with others only when it is legally appropriate to do so
- Set out procedures to ensure compliance with the duty to respond to requests for access to personal information, known as Subject Access Requests
- Ensure our staff are aware of and understand our policies and procedures

Complaints
Complaints will be dealt with in accordance with the school's complaints policy. Complaints relating to information handling may be referred to the Information Commissioner (the statutory regulator).

Review
This policy will be reviewed as it is deemed appropriate, but no less frequently than every 2 years. The director, with the support of the data protection office, will undertake the policy review.

Contacts
If you have any enquires in relation to this policy, please contact Lucy Meyer who will also act as the contact point for any subject access requests.

Further advice and information is available from the Information Commissioner's Office, www.ico.gov.uk or telephone 01625 545745 3

Reviewed October 2026
Lucy Meyer - Director

Appendix 1

The Lloyd Williamson Nurseries
Procedures for responding to subject access requests made under the Data Protection Act 1998

Rights of access to information
There are two distinct rights of access to information held by schools about pupils.
1. Under the Data Protection Act 1998 any individual has the right to make a request to access the personal information held about them.

2. The right of those entitled to have access to curricular and educational records as defined within the Education Pupil Information (Wales) Regulations 2004.

These procedures relate to subject access requests made under the Data Protection Act 1998.

Actioning a subject access request
1. Requests for information must be made in writing; which includes email, and be addressed to lucy@lws.org.uk **.** If the initial request does not clearly identify the information required, then further enquiries will be made.
2. The identity of the requestor must be established before the disclosure of any information, and checks should also be carried out regarding proof of relationship to the child. Evidence of identity can be established by requesting production of:

- passport
- driving licence
- utility bills with the current address
- Birth / Marriage certificate
- P45/P60
- Credit Card or Mortgage statement

This list is not exhaustive.

3. Any individual has the right of access to information held about them. However with children, this is dependent upon their capacity to understand (normally age 12 or above) and the nature of the request. When dealing with request from a child the person who deals with the request should discuss the request with the child and take their views into account when making a decision. A child with competency to understand can refuse to
consent to the request for their records. Where the child is not deemed to be competent an individual with parental responsibility or guardian shall make the decision on behalf of the child.

4. The school may make a charge for the provision of information, dependant

upon the following:

- Should the information requested contain the educational record then the amount charged will be dependant upon the number of pages provided.
- Should the information requested be personal information that does not include any information contained within educational records schools can charge up to £10 to provide it.
- If the information requested is only the educational record viewing will be free, but a charge not exceeding the cost of copying the information can be made at the discretion of the co-principals.

5. The response time for subject access requests, once officially received, is 40 days **(not working or school days but calendar days, irrespective of school holiday periods)**. However the 40 days will not commence until after receipt of fees or clarification of information sought.

6. The Data Protection Act 2018 allows exemptions as to the provision of some information; **therefore all information will be reviewed prior to disclosure**.

7. Third party information is that which has been provided by another, such as the Police, Local Authority, Health Care professional or another school. Before disclosing third party information consent should normally be obtained. There is still a need to adhere to the 40 day statutory timescale.

8. Any information which may cause serious harm to the physical or mental health or emotional condition of the pupil or another should not be disclosed, nor should information that would reveal that the child is at risk of abuse, or information relating to court proceedings.

9. If there are concerns over the disclosure of information then additional advice should be sought.

10. Where redaction has taken place then a full copy of the information provided should be retained in order to establish, if a complaint is made, what was redacted and why.

11. Information disclosed should be clear, thus any codes or technical terms will need to be clarified and explained. If information contained within the disclosure is difficult to read or illegible, then it should be retyped.

12. Information can be provided at the school with a member of staff on hand to help and explain matters if requested, or provided at face to face handover. The views of the applicant should be taken into account when considering the method of delivery. If postal systems have to be used then registered/recorded mail must be used.

Complaints
Complaints about the above procedures should be made to the co-principals who will decide whether it is appropriate for the complaint to be dealt with in accordance with the school's complaint procedure.
Complaints which are not appropriate to be dealt with through the school's complaint procedure can be dealt with by the Information Commissioner. Contact details of both will be provided with the disclosure information.

Contacts
If you have any queries or concerns regarding these policies / procedures then please contact Shaun via admin@lws.org.uk .

Further advice and information can be obtained from the Information Commissioner's Office, www.ico.gov.uk or telephone