

## First Steps (Bath)

### Confidentiality and Data Protection Policy

#### Policy statement

#### General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679)

First Steps (Bath) is committed to working in partnership with families and professionals to comply with requirements. Ensuring appropriate technical and organisational measures are in place to provide high standards of confidentiality and ensure the security of written and computerised information and the individual's right to see such records to guard against unauthorised or unlawful processing of the personal data and against accidental losses or destruction or damage of personal data. Ensuring that information is shared appropriately and with consent or legal requirement to secure improved outcomes for children and families. This applies to records relating to all personal data, including staff, volunteers, beneficiaries, suppliers and supporters. First Steps will:

- Respect the rights of each individual
- Be open and transparent about the Personal Data it holds
- Strive to observe the law in all collection and processing of subjects data
- Meet any subject access request in compliance with the law
- Provide training and support to First Steps representatives who handle Personal Data in the course of their duties
- Maintain an up-to-date ICO registration (which requires changes to the registration within 28 days of any adjustments)
- Inform the ICO of breaches of the Acts (where required)
- Include Data Protection guidance for all trustees and employees

#### Our responsibilities

- The Chief Executive and Senior Management Team are responsible for overseeing all aspects of the policy
- The Finance and Administration Manager will act as the nominated Data Co-ordinator, and will support and advise staff as appropriate
- All staff are responsible for upholding this policy and for promoting a general awareness of confidentiality and data protection.
- All staff must comply with our Safeguarding & Child Protection Policy which reminds them that the child's welfare is paramount, and takes precedence over issues of confidentiality.

#### Data Protection

First Steps (Bath)'s work with children, families and other professionals frequently brings us into contact with confidential information. The Charity is registered under the Information Commissioners Office (ICO) who are responsible for regulating and enforcing the Acts. This sets out eight enforceable principles of good practice which are that data must be:

- fairly and lawfully processed
- processed for limited purposes
- adequate, relevant and not excessive

- accurate
- not kept longer than necessary
- processed in accordance with the data subject's rights
- secure
- not transferred to countries without adequate protection

Under this Act we are therefore required to state the following to all service users:-

“The information provided by you is required to enable staff at First Steps (Bath) to offer appropriate support services and to maintain accurate records of all individuals with whom we are involved. The information is kept in part on a computerised database. Information, which may identify an individual, may be disclosed with the individual’s consent (unless obtaining consent may be in conflict with ensuring a child’s welfare), to other professionals involved with their support. First Steps (Bath) is required to pass on some of this data to the local authority and to agencies that are prescribed by law, such as Ofsted. First Steps (Bath) keeps child and adult records according to the retention periods listed in Appendix 1, after the individual has ceased accessing services. Records are then destroyed. CCTV cameras are operational both outside and in the reception area of our Children’s Centres, for safety”

Further information is available in the First Steps Bath ‘Consent to share information’ or in the ‘Privacy Notice’ – both are available from reception staff.

## **Collection of Information**

First steps Bath may collect information about individuals whenever they interact with the charity, for example when individuals:

- Apply to volunteer or work at First Steps Bath
- Enquire about our activities, visit our website or donate to the charity
- Sign up to receive our newsletter
- Attend a First Steps Bath event and provide us with information about you
- Fundraise on our behalf
- Post content to our social media sites
- Contact us by email, online contact form, phone, SMS, social media or post

First Steps Bath may collect information in the following ways:

- When individuals provide information directly by completing an enquiry form, admission form or request for services form.
- When individuals provide information directly as providers of additional services (e.g. Rugby Tots)
- When individuals provide information directly as a volunteer or member of staff
- When individuals provide information directly, for example by providing details when they request information, make a donation or attend one of our events
- When individuals provide information indirectly, for example when using other fundraising sites (e.g. Local Giving) and provide your consent to be contacted by First Steps Bath
- When individuals connect with First steps Bath on social media and messaging services, for example Facebook and Twitter. Depending on individuals’ settings or the privacy policies, individuals may provide permission to access information from the accounts and services

- When information about individuals is available from other public sources, First Steps may collect personal details from the public domain, such as from company websites and news sites, to provide background information about individuals for First Steps Bath representatives in preparation for a meeting/event. This information will only be used for this purpose and not stored after the meeting/event unless consent has been provided by the individual.

Each information collection system will make individuals aware of this policy and include a statement to ensure they are aware of their right to ask not to be contacted for marketing and fundraising purposes.

### Personal Information – Justification of Collection

| Stakeholder Group   | Requirement for data/information (Legitimate Interests)   | Consent Required  |
|---|---|---|
| Beneficiaries - children 0-8 years: <ul style="list-style-type: none"> <li>• In nursery</li> <li>• Additional services</li> </ul>                     | <ul style="list-style-type: none"> <li>• Meet children’s needs and requirements, e.g. health needs</li> <li>• Impact measurement</li> <li>• Anonymised data may be used to inform First Steps of planning and provision services</li> </ul>   | <ul style="list-style-type: none"> <li>• Engagement in additional services</li> <li>• Use of images/recordings (parent/Carer consent)</li> <li>• Parent/Carers signature on admissions</li> </ul>   |
| Parent/Carers of beneficiaries  | <ul style="list-style-type: none"> <li>• Ensure emergency contact and receive updates on child progress</li> <li>• Impact Measurement</li> </ul>  | <ul style="list-style-type: none"> <li>• Engagement in additional services</li> <li>• Parental/Carer consent for use of images/recordings of their children</li> <li>• Parent/Carer signature on admission</li> <li>• Marketing</li> <li>• Fundraising</li> </ul> |
| Applicants (new and re-applicants): <ul style="list-style-type: none"> <li>• Parent/Carers applying for services</li> <li>• Job applicants</li> </ul> | <ul style="list-style-type: none"> <li>• Anonymised data may be used to inform First Steps planning and provision of preventative services</li> <li>• The population of children and young people across the UK to help us understand the needs of children &amp; families in the area</li> </ul> | <ul style="list-style-type: none"> <li>• Marketing</li> <li>• Fundraising</li> <li>• Recruitment</li> </ul>   |
| Unsuccessful applicants: <ul style="list-style-type: none"> <li>• Parent/Carers applying for services</li> <li>• Job applicants</li> </ul>            | <ul style="list-style-type: none"> <li>• Ensure provided services are inclusive</li> <li>• Ensure recruitment processes are inclusive</li> </ul>  | <ul style="list-style-type: none"> <li>• Marketing</li> <li>• Fundraising</li> <li>• Recruitment</li> </ul>   |
| Previous beneficiaries - children   | <ul style="list-style-type: none"> <li>• Impact measurement</li> <li>• Reports on impact of previous children’s progress including video recordings, are required</li> </ul>  | <ul style="list-style-type: none"> <li>• Engagement in case studies</li> <li>• Use of images/recordings</li> </ul>  |

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|   | <p>in the assessment of re-applications for support</p> <ul style="list-style-type: none"> <li>• Anonymised data may be used to inform First Steps of planning and provision of service to help us understand the needs in the area and we reflect the local demographic</li> </ul> |  |
| Previous beneficiaries – now over 13 years of age             | <ul style="list-style-type: none"> <li>• Impact measurement</li> <li>• Anonymised data may be used to inform First Steps of planning and provision of service to help us understand the needs in the area and we reflect the local demographic</li> </ul>                           | <ul style="list-style-type: none"> <li>• Engagement in case studies</li> <li>• Use of images/recordings</li> <li>• Marketing</li> <li>• Fundraising</li> </ul> |
| Parent/Carers of previous beneficiaries                       | <ul style="list-style-type: none"> <li>• Impact measurement</li> </ul>  | <ul style="list-style-type: none"> <li>• Parental/carer consent for use of their childrens images</li> <li>• Marketing</li> <li>• Fundraising</li> </ul>       |
| Teaching/Care professional therapists linked to beneficiaries | <ul style="list-style-type: none"> <li>• Management of First Steps project</li> </ul>   | <ul style="list-style-type: none"> <li>• Use of images</li> <li>• Marketing</li> <li>• Fundraising</li> </ul>  |
| First Steps staff & Volunteers                                | <ul style="list-style-type: none"> <li>• Management of all HR processes including DBS checks and salary information and training</li> </ul>   | <ul style="list-style-type: none"> <li>• Use of images</li> <li>• Marketing</li> <li>• Fundraising</li> </ul>  |
| First Steps Trust Patrons & Trustees                          | <ul style="list-style-type: none"> <li>• Management and governance of the charity</li> </ul>  | <ul style="list-style-type: none"> <li>• Use of images</li> <li>• Marketing</li> <li>• Fundraising</li> </ul>  |
| Contractors   | <ul style="list-style-type: none"> <li>• Contract management</li> </ul>   | <ul style="list-style-type: none"> <li>• Marketing</li> <li>• Fundraising</li> </ul>   |
| Individual support  | <ul style="list-style-type: none"> <li>• Receipt and acknowledgement of donation</li> <li>• Management of Gift Aid</li> </ul>   | <ul style="list-style-type: none"> <li>• Marketing</li> <li>• Fundraising</li> </ul>   |
| Lapsed support(last donated 3+ years ago)                     | <ul style="list-style-type: none"> <li>• Management of Gift Aid (declarations should be kept for 6 years after the accounting year end that includes the last donation to which they relate)</li> </ul>   | <ul style="list-style-type: none"> <li>• Marketing</li> <li>• Fundraising</li> </ul>   |
| Individual donor through third party fundraising website      | <ul style="list-style-type: none"> <li>• Receipt and acknowledgement of donation</li> </ul>   | <ul style="list-style-type: none"> <li>• Marketing</li> <li>• Fundraising</li> </ul>   |
| Corporate and philanthropic supporters                        | <ul style="list-style-type: none"> <li>• Acknowledgement of support</li> <li>• Relationship management</li> </ul>   | <ul style="list-style-type: none"> <li>• Marketing</li> <li>• Fundraising</li> </ul>   |
| Organisational supporters                                     | <ul style="list-style-type: none"> <li>• Acknowledgement of support</li> <li>• Relationship management</li> </ul>   | <ul style="list-style-type: none"> <li>• Marketing</li> <li>• Fundraising</li> </ul>   |
| Individuals who attend First Steps events                     | <ul style="list-style-type: none"> <li>• Management of events (eg contact details, dietary and access requirements, profile for guest briefing). The</li> </ul>   | <ul style="list-style-type: none"> <li>• Marketing</li> <li>• Fundraising</li> </ul>   |

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|   | information will be destroyed once it is no longer required for the event management, unless consent has been provided to keep it. |  |
| Individuals who sign up for the newsletter on the website | <ul style="list-style-type: none"> <li>• Newsletter subscription</li> </ul>  | <ul style="list-style-type: none"> <li>• Marketing</li> <li>• Fundraising</li> </ul>                                       |
| Individuals who sign up for the newsletter at an event    | <ul style="list-style-type: none"> <li>• Newsletter subscription</li> </ul>  | <ul style="list-style-type: none"> <li>• Marketing</li> <li>• Fundraising</li> </ul>                                       |
| Individuals who follow First Steps on social media        | <ul style="list-style-type: none"> <li>• Social media contact</li> </ul>   | <ul style="list-style-type: none"> <li>• Marketing via other channels</li> <li>• Fundraising via other channels</li> </ul> |
| Individuals/organisation who sent an enquiry              | <ul style="list-style-type: none"> <li>• Response to the enquiry</li> </ul>  | <ul style="list-style-type: none"> <li>• Marketing</li> <li>• Fundraising</li> </ul>                                       |
| Suppliers   | <ul style="list-style-type: none"> <li>• Management of the charity</li> </ul>  | <ul style="list-style-type: none"> <li>• Marketing</li> <li>• Fundraising</li> </ul>                                       |

In the instances outlined in the above justification of collection, First Steps will only process personal information without consent when we are legally allowed to do so. This will only be where it is in the charity's legitimate interests to do so and where we are confident that such processing is not likely to prejudice individuals' legitimate interests or rights and freedoms.

In all other instances, First Steps will process personal information on the basis of consent that has been given by individuals, who are entitled to withdraw that consent at any time such that we can no longer rely on it as a basis for continuing to process their personal information.

### **Consent Statements for each 'data collection point'**

First Steps Nursery admission and enquiry.  
Request for service.  
Newsletter sign up form on website or at events.  
Contact us form on the First Steps Bath website.  
First Steps Leaflet 'consent to share information'  
Gift Aid form/envelope.  
First steps event registration.

### **Use of Information**

First Steps Bath will use personal information in a range of ways, which include:

- To provide individuals with the support or information they have requested
- To update individuals about any changes to our services
- To administer donations, including Gift Aid processing
- To support individuals' fundraising activities
- To maintain organisational records and ensure we have up-to-date marketing and communication preferences for individuals

- To send newsletters or other information about First Steps work
- To invite individuals to participate in fundraising activities and attend events
- To invite individuals to make donations to support First Steps work
- To invite individuals to participate in surveys or research
- To analyse and improve the operation of our website

## **Images**

First steps uses images, video and audio recordings on its website and within publications, refer to 'Communication & Media Policy'. We do not permit photographs, other images, video or audio recordings of children to be taken without the consent of the parent/carer and the young person if aged 13 years or older and has the capacity to consent. This consent is valid whilst the child is a beneficiary of First Steps Bath and for up to 5 years afterwards.

All images, video and audio recordings will be stored securely, and identified only through a child first name and first letter of surname (so they cannot be traced) with date. If images, video and audio recordings are selected to be used in high-profile contexts (such as YouTube videos and television programmes), we always ask further permission of parents/carer and children. We take all steps to ensure these images are used solely for the purposes they are intended.

## **Procedure for Ensuring Confidentiality**

- All staff, students and volunteers will be given an induction, which will include reference to this and other policies and procedures which they will be required to adhere to. Students and volunteers will also be required to sign a declaration of confidentiality prior to starting their placement, Appendix 3.
- Ensuring only authorised personnel (i.e. selected First Steps Bath staff, volunteers or contractors) have access to your information, and that they are appropriately trained to manage personal information.
- Ensuring that donations and payments are processed securely.
- Staff members do not discuss individual children, other than for the purpose of curriculum planning, personal progress, group management or supervision, with people other than the parents / carers of that child.
- Information given by parents / carers to any senior staff member or key person is not passed on to other adults without permission.
- Images of children and families using our services will only be used outside the setting (e.g. on our website, in press releases etc.) if parent/carer consent has been obtained.
- Ensuring that there are appropriate technical controls in place to protect personal details on our websites and Office 365 network.
- Any information regarding a family's circumstances are only divulged to other staff members or partner professionals on a strictly "need to know" basis.
- Any concerns / evidence relating to a child's personal safety is kept in a confidential file and is only accessible to relevant members of staff.
- Parents / carers have access to the assessment files and records of their own children, but do not have access to information about any other child.
- Personal information collected in relation to the employment of staff remains confidential to those directly involved in the recruitment process, and subsequently

to the Senior Management Team. Application forms for unsuccessful applicants will be destroyed after 6 months.

- First Steps Nursery management database has restricted permissions to different sections on a 'need to know' basis. We undertake regular reviews of who has access to information that we hold to ensure that personal information is only accessible by appropriately trained representatives.
- First Steps Bath application forms, photographs, financial, including Gift Aid, and other information is being stored by financial year so that data can be identified and archived when it is no longer current. First Steps Bath database and information folders are backed up regularly and stored securely. Our Office 365 network is protected and routinely monitored.
- If a breach in data security occurs, e.g. through loss of data or equipment on which data is stored the following steps will be followed.
  1. Containment and recovery
  2. Assessment of ongoing risk
  3. Notification of the breach
  4. Evaluation and response.

## Information Sharing

First Steps (Bath) works in accordance with the guidance published by HM Government March 2015; Information Sharing, Advice for practitioners providing safeguarding services to children, young people, parents and carers. This is outlined within our Privacy Policy please refer to Appendix 2.

## Individuals' Rights

The GDPR provides the following rights for individuals over their personal information and how we use it:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling

If an individual would like to exercise any of these rights, they should contact the nominated Data controller ( Finance Manager) in writing at First Steps Bath, Woodhouse Road, Twerton, Bath, BA2 1SY or by emailing [finance@firststepsbath.org.uk](mailto:finance@firststepsbath.org.uk)

A data subject (individual) or approved agent may make a request to have a copy of all information held on them by an organisation. On receipt of a subject access request, it will be passed immediately to the nominated data Controller. The Data Controller will then check the validity of the subject access request for authenticity and, once authenticated, will gather a response which will be sent to the subject.

## Links to other policies

- Equal Opportunities and Anti-Discrimination Policy and Procedure
- Safeguarding & Child Protection Policy and Procedure
- Staff Code of Conduct

- Staff Employment Policy and Procedure
- Compliments and Complaints Policy and Procedure
- Inclusion Policy and Procedure

Approved by the Board of Trustees on 19<sup>th</sup> May 2009

Reviewed and updated by the SMT; January 2016

Reviewed and updated by SMT: February 2017

Reviewed and updated by SMT: October 2017

Reviewed and updated by Trustees March 2018 to comply with the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679)