10 Staff Policy

**10.01 Retention Policy for GDPR – Staff Policy**

From May 25th 2018 our setting has adhered to The General Data Protection Regulation (GDPR). This is an EU directive that all UK businesses are required to follow as law. The UK Government has stated that it will continue to enforce GDPR irrespective of a UK exit from the EU.

Our policy is to retain data in accordance with the laws of GDPR and in accordance with the EYFS 2017. We will not retain any data that is not relevant or does not hold a legal or justified basis to do so. However, there is some data that we are legally required to keep for a specified time limit long after your child leaves.

**Procedures**

The table below lists some of the documents that we currently collect from you and how we erase or retain the data and for how long. Under GDPR you have the right to ask us about any information that is held about you.

You are also able to ask for us to delete and erase records about yourself as under GDPR everyone has the right to erasure. There are some exceptions where this is not possible, for example, situations relating to safeguarding which doesn’t allow us to erase such data. Our setting will make decisions on erasure on a case by case basis and will seek appropriate legal if required.

If in the future our setting closes, we are still required by law to keep certain data in accordance with GDPR. We will ensure that all information is securely protected if stored online. Paper documentation will be kept securely in a locked cabinet for the period of retention.

STAFF: Retention for Staff Records

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| --- | --- | --- | --- |
| Name of Data Collected | Legal basis for keeping the records | Retention Period | After Retention period |
| Staff Application forms including those of whom were not successful in securing a job at the setting | Limitation Act 1980  Legal obligation  Legitimate interest | 6 months and no longer than 1 year | Data collected on the computer or any technological device will be erased completely from the system.  Data which is in paper format will be shredded |
| Staff personal Files including all personal data relating to name, address, telephone details, appraisals and such like | Limitation Act  Legal Obligation  Legitimate Interest | 6 years after the termination of employment | Data collected on the computer or any technological device will be erased completely from the system.  Data which is in paper format will be shredded |
| Financial information including tax codes, wage and salary information, payroll and pensions | Limitation Act  Legal Obligation  Legitimate Interest | It is essential that our setting can demonstrate to HMRC that we have reported accurately. We are required to keep this information for 3 years after the end of the tax year that they pertain to. |  |

**Legal Framework**

* General Data Protection Regulation (GDPR) (25th May 2018)