



# Confidentiality and Data Protection Policy

August 2025

This policy is relevant to all employees, volunteers, students on placement or work experience and owners of Thrive Holistic Education CIC. Breaching this policy could lead to disciplinary procedures and serious incidents could lead to dismissal in line with the setting's disciplinary procedure.

Everyone has rights regarding how their personal information is treated. Thrive Holistic Education CIC recognises the need to treat this information in an appropriate and lawful manner.

The aim of the Thrive Holistic Education CIC is to ensure that all information regarding employees, volunteers, owners, parents/carers/guardians and children is kept securely and confidentially as required by the General Data Protection Regulation (GDPR). Thrive Holistic Education CIC is the data controller for any personal data processed.

No information will be shared or revealed to persons/agencies who are not authorised to receive the information.

## General Data Protection Regulation (GDPR) (2018)

The purpose of the Act is not to prevent the collection and processing of personal data, but to ensure that it is done fairly and without affecting the rights of the individual. In order for personal data to be lawfully processed, certain conditions must be met.

Thrive is committed to ensuring that personal data will be kept, processed and transferred according to the General Data Protection Regulation (2018) by ensuring that personal data and special categories of personal data are:

- is processed in a fair, transparent and lawful manner.
- is collected for specific, clear and valid purposes.
- is correct, and where necessary, up-to-date.
- is only kept in a recognisable format only for the necessary period of time.
- is processed only for specific purposes and in an appropriate way.
- is sufficient, is relevant, is necessary and not excessive to the purpose.
- is processed in line with the rights of the individual.
- is kept securely.
- is transferred only to others who have sufficient security processes.

## **Rights regarding Data which is held on an Individual**

Any information which relates to a 'living, identifiable individual' is considered to be personal data. It refers to an identifiable person who can be directly or indirectly identified. Statistics do not count as personal data.

An individual has the right to access the information which is kept about them from time to time and within reason. Applications should be made in writing to the Thrive Holistic Education CIC, who will respond to the application. We will follow the Information Commissioner's Office's guidelines when dealing with any applications of this nature. We will record of any such requests, and keep them on an appropriate form

Thrive Holistic Education CIC will inform individuals of their rights when we collect personal data. Everyone has the right to:

- to be informed (of their rights and of the fact that their data is being processed).
- to access the personal data that you collect. (Subject Access Request).
- to verify the personal data that you hold about them.
- to delete the personal data that you hold about them.
- to restrict the processing of the personal data that you hold about them.
- to the portability of data (e.g. moving data from one organisation to another).
- to object to your request to collect or process their personal data.
- in relation to using the personal data for automated decision making and profiling.

## **Code of Practice**

Thrive Holistic Education CIC expects all employees, volunteers, and owners to be aware of, to understand, and to follow this policy.

Thrive Holistic Education CIC is committed to:

- taking every step that is reasonably practicable to ensure the security of any personal data which is collected and/or kept by Thrive Holistic Education CIC.
- ensuring that this policy is presented to new staff members as part of their induction programme.
- clearly stating who (e.g. staff / volunteers / managers / owners) is permitted to access specific documents and files (e.g. in an official meeting such as a management meeting) where minutes are kept and the decision recorded).
- ensuring that only individuals who are permitted to access the data, and require access to the data are able to access the data.
- securing any documents and forms which state any personal information about a member of staff, volunteer, management team member, parents/carers/guardians or child e.g. personnel file, child's personal information, employee records, health details.
- ensuring that a password is needed to gain access to digital equipment where sensitive information is stored.
- not leaving personal data in a public place.
- asking for appropriate permission from parents in situations where external bodies wish to gain access to part of a child's data

- sharing information with parents/carers/ guardians regarding their child in a private area / room.

### The Setting's Duty as a Holder of Personal Information

Personal information about staff, volunteers, management team members, parents/carers/guardians or children should not be shared with anyone inside or outside of the Thrive Holistic Education CIC if there is no obvious need for the setting to do this to fulfil its role.

## **Sharing Information and Requests for Information**

Where appropriate, information may be collected from and shared, following the receipt of a valid application, with the following organisations or individuals:

Thrive Holistic Education CIC will follow the Information Commissioner's Office guidelines about sharing information when dealing with applications of this nature, and ensure that any requests for personal data from individuals, keeping a record of these requests on an appropriate form.

- the individual themselves or a parent/carer/guardian on behalf of a child.
- employers: former employers, current employers and prospective employers.
- Inland Revenue
- Home Office
- Department for Work and Pensions
- Police
- Social Services
- Local Education Authority
- Welsh Government.

## **Information Retention Period**

Thrive Holistic Education CIC will follow statutory rules regarding the period of time to keep specific types of information.

Thrive Holistic Education CIC will ensure that it keeps personal data in a recognisable format for no longer than is necessary.

## **Disposal of Information**

Thrive Holistic Education CIC will use appropriate secure measures to ensure disposal of any confidential and personal information.

We will:

- destroy paper records by using a shredder.
- destroy Memory sticks and CDs by hand when they are no longer needed (e.g. by cutting them into small pieces with scissors).
- ensure digital files are deleted from the back-up drive as well as deleting them from the system itself.

- ensure personal information is destroyed and / or deleted when it is no longer needed.

## **E-Safety and Social Networks**

Thrive Holistic Education CIC will follow the E-Safety Policy regarding ensuring data is stored securely in line with the guidelines issued by the Information Commissioner's Office

Thrive Holistic Education CIC will follow the E-Safety Policy guidelines to ensure that there is no breach of confidentiality and to ensure digital data protection at all times.

Thrive Holistic Education CIC will clearly state who is responsible for updating the details which are shared on any social network pages that are part of the setting's work, following the E-Safety Policy guidelines on the use of Social Networks.

Thrive Holistic Education CIC expects all employees, volunteers and owners to follow the E-Safety Policy when using social networks in their personal lives.

## **Data Breach**

A Data Breach is a Security breach which leads to one of five possible outcomes:

- loss of personal data,
- damage to or destruction of personal data,
- altering / changing data without authorisation,
- disclosing personal data without authorisation,
- unauthorised access to / of personal data.

Relevant data breaches must be reported to the ICO within 72 hours of becoming aware of the breach, and inform individuals if there is a high risk of an adverse affect.

## **Breach of Confidentiality**

Thrive will consider any case of breaching confidentially as a severe matter and will investigate the matter fully.

Breaching this policy can lead to a disciplinary and serious incidents can lead to dismissal.

## **Contacts and Useful Information**

The following publications and websites provide additional useful information:

Information Commissioner's Office: 'Guide to the General Data Protection Regulation (GDPR)' <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>

Information Commissioner's Office: 'Special category data' <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/>

Information Commissioner's Office: 'Right of access' <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-of-access/>

Information Commissioner's Office: 'Register (notify) under the Data Protection Act' <https://ico.org.uk/for-organisations/register/>

Information Commissioner's Office: 'Guide to Data Protection' <https://ico.org.uk/for-organisations/guide-to-data-protection/>

Information Commissioner's Office: 'Data Sharing' <https://ico.org.uk/for-organisations/guide-to-data-protection/data-sharing/>

Information Commissioner's Office: 'Security' <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/security/>

Information Commissioner's Office: 'Personal Data Breaches' <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/personal-data-breaches/>

Information Commissioner's Office: 'Data protection self assessment toolkit' <https://ico.org.uk/for-organisations/improve-your-practices/data-protection-self-assessment-toolkit/>

This policy was last reviewed on: 11/08/2025

Signed: *A Jacques - Clare*

Date: 11/08/2025

**Appendix 1:****Information Retention Period**

Record	Statutory retention period	Statutory authority
accident books, accident records/reports	3 years from the date of the last entry (or, if the accident involves a child/ young adult, then until that person reaches the age of 25). (See below for accidents involving chemicals or asbestos)	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (SI 1995/3163) as amended, and Limitation Act 1980. Special rules apply concerning incidents involving hazardous substances (see below).
accounting records	3 years for private companies, 6 years for public limited companies	Section 221 of the Companies Act 1985 as modified by the Companies Acts 1989 and 2006
income tax and NI returns, income tax records and correspondence with HMRC	not less than 3 years after the end of the financial year to which they relate	The Income Tax (Employments) Regulations 1993 (SI 1993/744) as amended, for example by The Income Tax (Employments) (Amendment No. 6) Regulations 1996 (SI 1996/2631)
medical records and details of biological tests under the Control of Lead at Work Regulations	40 years from the date of the last entry	The Control of Lead at Work Regulations 1998 (SI 1998/543) as amended by the Control of Lead at Work Regulations 2002 (SI 2002/2676)
medical records as specified by the Control of Substances Hazardous to Health	40 years from the date of the last entry	The Control of Substances Hazardous to Health Regulations 1999 and 2002 (COSHH) (SIs 1999/437 and 2002/2677)

Record	Statutory retention period	Statutory authority
Regulations (COSHH)		
<p>medical records under the Control of Asbestos at Work Regulations</p> <ul style="list-style-type: none"> <li>• medical records containing details of employees exposed to asbestos</li> <li>• medical examination certificates</li> </ul>	<ul style="list-style-type: none"> <li>• 40 years from the date of the last entry</li> <li>• 4 years from the date of issue</li> </ul>	The Control of Asbestos at Work Regulations 2002 (SI 2002/ 2675). Also see the Control of Asbestos Regulations 2006 (SI 2006/2739) and the Control of Asbestos Regulations 2012 (SI 2012/632)
medical records under the Ionising Radiations Regulations 1999	until the person reaches 75 years of age, but in any event for at least 50 years	The Ionising Radiations Regulations 1999 (SI 1999/3232)
records of tests and examinations of control systems and protective equipment under the Control of Substances Hazardous to Health Regulations (COSHH)	5 years from the date on which the tests were carried out	The Control of Substances Hazardous to Health Regulations 1999 and 2002 (COSHH) (SIs 1999/437 and 2002/2677)
records relating to children and young adults	until the child/young adult reaches the age of 25	Limitation Act 1980
Retirement Benefits Schemes – records of notifiable events, for example, relating to incapacity	6 years from the end of the scheme year in which the event took place	The Retirement Benefits Schemes (Information Powers) Regulations 1995 (SI 1995/3103)
Statutory Maternity Pay records, calculations,	3 years after the end of the tax year in	The Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960) as amended

Record	Statutory retention period	Statutory authority
certificates (Mat B1s) or other medical evidence	which the maternity period ends	
Statutory Sick Pay records, calculations, certificates, self-certificates	3 years after the end of the tax year to which they relate	The Statutory Sick Pay (General) Regulations 1982 (SI 1982/894) as amended
wage/salary records (also overtime, bonuses, expenses)	6 years	Taxes Management Act 1970
national minimum wage records	3 years after the end of the pay reference period following the one that the records cover	National Minimum Wage Act 1998
records relating to working time	2 years from date on which they were made	The Working Time Regulations 1998 (SI 1998/1833)

Recommended period for keeping records (when there is no statutory period)

Record	Recommended retention period
actuarial valuation reports	permanently
application forms and interview notes (for unsuccessful candidates)	6 months to a year. (Because of the time limits in the various discrimination Acts, minimum retention periods for records relating to advertising of vacancies and job applications should be at least 6 months. A year may be more advisable as the time limits for bringing claims can be extended. Successful job applicants documents will be transferred to the personnel file in any event.
assessments under health and safety regulations and records of consultations with safety representatives and committees	permanently



Record	Recommended retention period
Inland Revenue/HMRC approvals	permanently
money purchase details	6 years after transfer or value taken
parental leave	5 years from birth/adoption of the child or 18 years if the child receives a disability allowance
pension scheme investment policies	12 years from the ending of any benefit payable under the policy
pensioners' records	12 years after benefit ceases
personnel files and training records (including disciplinary records and working time records)	6 years after employment ceases
redundancy details, calculations of payments, refunds, notification to the Secretary of State	6 years from the date of redundancy
senior executives' records (that is, those on a senior management team or their equivalents)	permanently for historical purposes
time cards	2 years after audit
trade union agreements	10 years after ceasing to be effective
trust deeds and rules	permanently
trustees' minute books	permanently
works council minutes	permanently

