

RECORD KEEPING POLICY

Over the Rainbow Early Learning Centre Ltd is committed to the impartial and factual record keeping of all staff and children's information in accordance with the Child Care Act 1991 (Early Years Services) Regulations 2016, the Child Care Act 1991 (Early Years Services) (Amendment) Regulations 2016 and the Tusla Quality and Regulatory Framework. All records in the service comply with the services Data Protection Policy.

This policy outlines the basic rules by which our setting manages the retention of the personal data of parents, children, suppliers, employees and other individuals that is processed by **Over the Rainbow Early Learning Centre Ltd**. The policy sets out the required retention periods for different categories of data and sets out the minimum standards to be applied when destroying certain information.

This policy applies to all data used at **Over the Rainbow Early Learning Centre Ltd**. Examples of data include:

- Emails
- Hard copy documents (child record forms, attendance records etc.)
- Soft copy documents (scanned enrolment form, etc.)
- Video, audio and photographs
- Data generated by Childcare management software systems (ChildPaths)

Records to be kept in relation to Staff

The following information is private and confidential and kept on the staff members personal file in a locked cabinet. Only management have access to these files.

- Full name, address, contact information, next of kin information and date of birth
- Curriculum Vitae and Employment History
- Job title and description, signed contract, interview and HR record
- Proof of Identification
- Proof of Qualifications and training courses
- References and validations
- Garda Vetting and International Police Clearance if applicable
- Annual leave, sick leave and maternity leave request forms
- Support and Supervision meeting sheets
- Disciplinary actions and grievances
- All other relevant documentations
- Attendance record with sign in and out times

Records to be kept in relation to enrolled children

The following information is private and confidential and kept on the child's personal file in a locked cabinet and or on ChildPaths, a password protected web-based childcare management system. Only authorised staff members have access to these files and parents can only view their own child's file/profile. All written records are impartial and factual and maintained to ensure the health, safety and development of all children attending the service.

- Upon enrollment, parents are requested to complete a child registration form which contain the following information:
 - Full name, date of birth, gender, and home address of the child
 - Parents contact details

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- Name and contact information of two authorised persons, who can collect the child
- Emergency contact person and contact details
- Family GP details
- Record of immunisations
- Medical information of the child such as allergies or intolerances
- Consent details
 - ✓ Permission for outings
 - ✓ Permission to be photographed/share photos
 - ✓ Observation consent form
 - ✓ Permission to change clothes
 - ✓ Accident and or emergency consent form
 - ✓ Administration of non-prescription medication consent form
 - ✓ Permission to take temperature during Covid-19 pandemic
 - ✓ Data Protection
- Details including photographs of any accident, incident, injury, trauma or illness relating to the child
- All ECCE documentation and or other fee structures
- Any disciplinary actions or severe behavioral issues
- Any complaints or grievances
- Records in relation to Child Protection concerns are stored in a separate locked filing cabinet and are shared only on a need-to-know basis in line with our Confidentiality Policy.

ChildPaths childcare software management system

In an effort to reduce our usage of paper **Over the Rainbow Early Learning Centre Ltd** subscribe to ChildPaths, a childcare software management system.

- Information uploaded to the system include:
 - ✓ Child's profile which include their photo, personal information, parent details and authorized collection.
 - ✓ Daily attendance record
 - ✓ Daily Activities
 - ✓ Milestones and observations
 - ✓ Email communications with parents
 - ✓ Accidents and incidents
 - ✓ Forms such as return to preschool declaration
 - ✓ Medical consent forms
 - ✓ Curriculum planning and schedules
- How is the information stored and accessed?
 - ✓ ChildPaths is a web-based management software system and staff access it through a password protected tablet issued by the company. Each staff member has their own username and password and functionality restrictions are set by management depending on the role of each staff member.
 - ✓ Any information and data that we collect will be for our record keeping use and will be treated under our confidentiality policy.
 - ✓ Information is only shared with the childcare inspectors for inspection or child protection purposes.
 - ✓ Information that travels from the tablets to the servers is encrypted, and the servers are held in Ireland with one of the world's leading hosting providers, Amazon. The software is protected by a username and password to access the information.

- ✓ Parents only have access to their own child's profile and information is shared individually. Group activities are shared with all parents.
- ✓ Parents access ChildPaths through a web interface using a username and password only known to them.

Other documentation

- Laws and regulations pertaining to Early Childhood Care and Education
- Policies and Procedures of the service
- Risk Management forms
- Inspection and review documentation
- Monthly Fire Safety drills
- Visitors records
- Maintenance records
- Staff remuneration records
- Training resources
- Enrollment waiting list
- Curriculum documenting floor books

Retention Schedule

The Manager defines the time period for which documents and electronic records should be retained through the Data Retention Schedule (See Appendix 1). These retention periods are predominantly determined by statutory obligations.

As an exemption, retention periods within the Data Retention Schedule will be prolonged in cases such as:

- Ongoing investigations from Irish authorities, if there is a chance records of personal data are needed to prove compliance with any legal requirements; or
- When exercising legal rights during legal cases or similar court proceedings recognised under Irish law.

Safeguarding of Data during Retention Period

If personal data is physically retained in hard copy format this personal data may become out of date quickly and this will be considered by the Owners/ Managers. If personal data is retained on electronic storage media (hard drive, server) or in the cloud, the Owners/ Managers will ensure that backup copies of the information is available. The 3-2-1 backup strategy will be used: 3 copies total, 2 local copies, 1 offsite. Responsibility for the storage of data falls to the Manager.

The security of personal information relating to children and families is a very important consideration under the Data Protection Acts. Appropriate security measures will be taken against unauthorised access to this data.

The following controls are in place to prevent the unauthorised access and or permanent loss of essential information as a result of malicious or unintentional destruction of information:

- Access to the information is restricted to authorised staff on a "need-to-know" basis.
- Hard copy files will be stored in a lockable filing cabinet located away from public areas.
- Electronic data will be held under password protected files with a limited number of users.
- Premises will be secured when unoccupied.

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Destruction of Data / document disposal

Over the Rainbow Early Learning Centre Ltd and its employees will regularly review all data, whether held electronically or in hard copy format, to decide whether to destroy or delete any data once the purpose for which those documents were created is fulfilled. See Appendix 1 which outlines the Data Retention Schedule. Overall responsibility for the destruction of data falls to the Managers.

Once the decision is made to dispose of personal data according to the Data Retention Schedule, the data will be deleted, shredded or otherwise destroyed appropriately.

The method of destruction varies and will be dependent upon the nature of the document. The specific deletion or destruction process may be carried out either by an employee or by an internal or external service provider that the Managers subcontracts for this purpose. Destruction of data is always approved by the Managers and the details recorded. Any applicable general provisions under relevant data protection laws and the settings Confidentiality and Data Protection Policy shall be complied with.

The Manager shall fully document and approve the destruction process.

Routine Disposal Schedule

Records (only those containing personal data) which may be routinely destroyed unless subject to an on-going legal or regulatory inquiry are as follows:

- Announcements and notices of day-to-day activities;
- Message slips;
- Outing reminder slips;
- Newsletters.

The Manager will determine what documents can be routinely destroyed.

If there is a current court case or legal proceedings, all documents will be retained. Advise will be sought before disposing of documentation that may be subject to legal proceedings.

Destruction Method

Documents that include any personal data shall be disposed of confidentially (cross-cut shredded) and shall be subject to secure electronic deletion if stored electronically. The Data Disposal Schedule will be completed in all cases of disposing of documents containing personal data. Confirmation of destruction will be sought as needed.

Breach, Enforcement and Compliance

The person appointed with responsibility for Data Protection, the Managers, ensures that each employee complies with this policy. It is also the responsibility of the Managers to assist any local office with enquiries from any local data protection or governmental authority.

Any suspicion of a breach of this Policy must be reported immediately to the Managers. All instances of suspected breaches of the Policy shall be investigated, documented and action taken as appropriate.

Failure to comply with this Policy may result in adverse consequences, including, but not limited to, loss of parents confidence and possibly litigation, financial loss and damage to the settings reputation, personal injury, harm or loss. Non-compliance with this Policy by employees, or any third parties, who have been granted access to the premises or data, may therefore result in disciplinary proceedings or termination of their employment or contract. Such non-compliance may also lead to legal action against the parties involved in such activities.

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Communication

All parents/guardians are informed of this policy on enrolment. Staff members will check with parents that they have read and understood the policy and provide any assistance needed.

This policy will also be reviewed with staff members at induction and annual staff training.

A copy of all policies will be available during all hours of operation to staff members and parents in the Policy Folder located in the setting or on the website www.overtherainbowelc.com

Parents/guardians may receive a copy of the full policy and procedures at any time upon request. Parents/guardians and all relevant staff members will receive written notification of any updates to this policy.

This policy was adopted by **Over the Rainbow Early Learning Centre Ltd** on:

Date: _____

Manager

co-Manager

Review Date: _____

Appendix – Data Retention Schedule

Child Records	
Personal Data Record Type	Retention Period & Notes
Child Record/Registration Forms including the consent forms.	2 years from the time the child ceases to attend service – required by the 2016 Early Years Services Regulations.
Child Accident & Incident Records including photographs of injury	For insurance purposes you need to retain these records until the child referred to in the record is 21 years of age.
Attendance records	2 years from the time the children referred to in the record cease to attend service – required by the 2016 Early Years Services Regulations. 7 years for attendance records related to childcare funding schemes (ECCE, TEC, CCS and CCSP).
PPS details of child/parent and social welfare details of parent/guardian.	Retain for period of time it takes to submit registration on PIP.
Medication administered with signed parental consent	2 years from the time the child ceases to attend service – required by the 2016 Early Years Services Regulations.
Child Observations	Issued to the parents/guardians of the child when they leave the service.
Child Development Records	Issued to the parents/guardians of the child when they leave the service.
Photographs/videos and associated consent forms.	All photographs will be deleted/destroyed one year after the child has left the childcare service.

Employee Records	
Personal Data Record Type	Retention Period & Notes
Employee files, all files relating to a staff member.	6 years after employee ceases employment
Garda Vetting Forms & Responses	5 years from the date employee commences employment or length of time employee works in the service – retain data for whichever time period is longer.
Employee References	5 years from the date employee commences employment or the length of time the employee works in the service – retain data for whichever time period is longer.
Revenue Payslips P45 etc	6 years
Attendance Records	3 years
Minimum Wage Records	3 years
Staff Accident or Incident records	10 years
Annual Leave Records	3 years after employee ceases employment
Sick Leave Records	3 years
Sick Leave Payments	3 years
Maternity Leave	1 year
Adoptive Leave	1 year
Parental Leave	8 years
HR documents (disciplinary, grievance documents etc.)	6 years after employee ceases employment or longer based on legal advice
Paternity Leave	8 years
Force Majeure Leave	8 years
Careers Leave	8 years
Hazard Analysis & Critical Control Point (Food Safety)	1 year at most as recommended by the Food Safety Authority

Operational Records	
Personal Data Record Type	Retention Period & Notes
Fire Safety Records (including Fire Drills)	5 years – required by the 2016 Early Years Services Regulations.
Fire Evacuation procedure	While the service is registered as and Early Years Service.
Insurance certificate	While the service is registered as and Early Years Service.
Yearly review of policies/procedures/statements and practices	3 years from the date the review is carried out
Management structure record	While the service is registered as and Early Years Service
Safety statement	While the service is registered as and Early Years Service
Records relating to childcare funding schemes (ECCE, CCS, CCSP and TEC)	7 years
Visitors Book	1 year from the date that it relates to – required by the 2016 Early Years Services Regulations.
Staff Training Files	6 years after employee leaves the company.
Complaints and associated documents	2 years from the date the complaint was dealt with – required by the 2016 Early Years Services Regulations.
Job Applications / Applicants C.V's	1 year
Interview notes	1 year for shortlisted – 6 years after the employee leaves the company.
Job Vacancy Notifications / Advertisements / Job descriptions	1 year
General cleaning records	1 year

Financial Records	
Personal Data Record Type	Retention Period & Notes
Accounts	7 years