

The Information Commissioners Office (ICO)

Who are they?

The UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.

What has this to do with Childcare providers including childminders?

The Data Protection Act requires all businesses to register unless exempt. If you are processing personal information electronically for the provision of childcare - including taking photographs of the children in your care using a digital camera - then you must register with the ICO.

Data protection responsibilities under the Data Protection Act 1998 are as follows:

- If you keep all your childcare records on paper, you do not need to notify the ICO.
- If you keep information about the names, ages and addresses of children/parents, details of payments purely for accounts and records purposes, you are also exempt from notification.
- If you keep more extensive records, or information of a more sensitive nature, for example about children's health, behaviour or development, on a computer then you need to contact the ICO to find out if you need to notify.
- If you take digital photographs of the children in your care, you will be expected to register with the ICO.

What do I need to do?

Go on to the ICO website www.ico.org.uk

Under the Data Protection Act individuals and organisations that process personal information need to register with the Information Commissioner's Office (ICO), unless they are exempt.

By going through the following questions, you will be able to decide if you – as an individual or on behalf of your business or organisation – need to register with the ICO.

<https://ico.org.uk/for-organisations/register/self-assessment/>

How much will it cost?

Annual membership of the ICO costs £35.

How do I contact them?

Through their website www.ico.org.uk

Need advice?

Call ICO helpline on 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

Or email: casework@ico.org.uk (please include your telephone number).

DATA PROTECTION ACT PRINCIPLES

The eight principles of the Data Protection Act require personal data to be:

Principle 1 - processed fairly and lawfully;

Principle 2 - processed if there is a legitimate basis for doing so;

Principle 3 - collected for the purposes specified and sufficient for the purpose it was collected for;

Principle 4 - accurate and kept up-to-date;

Principle 5 - kept no longer than is necessary for the purpose you obtained it for;

Principle 6 - processed in accordance with the rights of individuals that it refers to;

Principle 7 - held securely to prevent it from being accidentally or deliberately compromised;

Principle 8 - not transferred to a country or territory outside the EEA (European Economic Area) unless that country or territory ensures an adequate level of protection.

For more information on data protection

<https://ico.org.uk/for-organisations/guide-to-data-protection/>