

Registration with the Information Commissioners Office – ICO

ALL Ofsted registered childminders who use digital media to store any information about a childminded child or their family must register with the ICO. Registration costs £35 a year (renewable annually) and can be paid for via the ICO website – www.ico.gov.uk. You will receive a registration certificate to your email which you can print for your file.

This includes childminders who use a computer for observations / assessment / individual planning for a childminded child, an i-pad or tablet to access online learning and development information, a digital camera to take photos, a mobile phone to take photos or store childminding related phone numbers, a memory stick or CD to give photos of childminded children to parents, emails to send daily diary info to parents, a website to display photos for parents etc...

Registration links to our duty under the Data Protection Act which is noted in the EYFS 2012 - requirement 3.68 – 'Providers must be aware of their responsibilities under the Data Protection Act (DPA) 1998' and the footnote – 'It is ... essential that all providers/staff in early years settings have an understanding of how data protection laws operate. Further guidance can be found on the website of the Information Commissioner's Office at:

http://www.ico.gov.uk/for_organisations/data_protection.aspx

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ICO registration and Ofsted

Link - https://www.facebook.com/groups/independentchildminders/707006295987447/?stream_ref=2

Ofsted state (Feb 2014) – 'Since 2008, as part of the Early Years Foundation Stage (EYFS), childminders in England have been expected to keep more detailed records about individual children's development. If you store personal details about other people on your computer or any digital format (including smart phones and photos on digital cameras) it is likely that you will need to register as a Data Controller with the ICO.

The Data Protection Act 1998 requires every data controller who is processing personal information to register with the ICO, unless they are exempt. If a childminder / childcare provider is in any doubt about whether they will need to register, they can contact the ICO on 01625 5457400.'

Ofsted document 140063 'Guide to registration on the Early Years Register' states -

Information Commissioner - 'If you intend to take photographs of children you will need to register with the Information Commissioner's Office (ICO). The ICO has guidance on the restrictions that childminders and childcare providers have on taking and using photographs of children. Further information can be found on the Information Commissioner's website.'

Quite a few Ofsted inspectors are asking to see ICO registration certificates during inspections. If you do not pay, I strongly suggest you have a letter in writing from ICO confirming that your individual circumstances mean you do not need to register with them. There are very big fines if you fail to comply with the Data Protection Act requirements.

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Concerns about registration

ICO questionnaire - there is a questionnaire on the ICO website - a number of childminders have completed it and think they do not need to register as a result. They say, for example, that they only use a digital camera to take and print photos which are immediately deleted.

However, ICO state that as soon as the photo is stored digitally childminders need to register with them. I refer you back to the information at the start of this document - if you use a digital device to store information about a child, you need to register with ICO.

The only way you can get round it is if you use an old fashioned camera which does not have a memory card and never use anything digital to store any information about a childminded child or their family - so everything you do for your business is hand written...

Cost implications - a number of childminders ask me - what do we get for our money? Why should we register when there's absolutely no benefit to us?

What you get is a warm glow of satisfaction because you have done the right thing - and information and advice from ICO about safe storage of digital information, how to delete data safely etc - what you don't get is a fine for failing to comply with the Data Protection Act!

Publishing personal information - ICO publishes childminders names and addresses as part of their registration. Some childminders are concerned about this. If this is something that worries you, I suggest you contact ICO for further guidance.

NOTE - Scottish childminders do not currently need to register (information correct - 03.2014).