

## Cylch Meithrin Meini Bach

### COVID 19

**Mae'r polisi hwn wedi ei ddiweddarau ar gyfer cyfnod pan fo perygl oddi wrth feirws Covid-19. Mae'r Atodiadau, a ddangosir mewn gwyrdd, gydag unrhyw atodiad dilynol mewn melyn yn orfodol ac yn cymryd blaenoriaeth dros bolisi blaenorol y Cylch Meithrin / Meithrinfa, lle ceir newid arferiad. Cyfeiriwch hefyd at ein Asesiad Risg COVID 19 ynghyd a'n restr wirio COVID 19**

### Casglu data staff

Bydd y Cylch yn ceisio diogelu staff y Cylch/Feithrinfa drwy gasglu data yn ystod y pandemig a'i adolygu'n gyson i sicrhau bod y Cylch yn asesu'r risg i iechyd yr aelod o staff, e.e. Datganiad Staff COVID 19 cyn dychwelyd i'r gwaith. Bydd yr Arweinydd/Unigolyn Cyfrifol yn cynnal sgwrs â'r aelod o staff pan fo angen i drafod trefniadau penodol yn ymwneud ag amgylchiadau iechyd unigol. Trinnir yr holl wybodaeth a wirfoddolwyd gan staff yn gyfrinachol, a bydd yn cael ei thrin yn unol â deddfwriaeth a chanllawiau diogelu data perthnasol. O dan y Ddeddf Gwarchod Data 2018 mae gan staff yr hawl i fynediad at unrhyw wybodaeth a ddeilir amdanynt eu hunain. Cedwir y ffurflen yn ddiogel yn eich ffeil bersonol, yn unol â Pholisi Gwarchod Data'r Cylch/Feithrinfa.

### **Profi, olrhain a diogelu:**

Mae data personol sy'n cael ei brosesi dan strategaeth Profi, Olrhain a Diogelu'r Gwasanaeth Iechyd, gan gynnwys casglu, cofnodi a rhannu data personol, yn cael ei wneud yn unol â deddfwriaeth diogelu data. Mae hyn yn darparu nifer o seiliau cyfreithlon y dibynnir arno i sicrhau fod prosesu o'r fath yn cael ei ystyried yn gyfreithlon. Proseswyd y data ar sail Erthygl 6(e) y GDPR, gan fod ei angen i gyflawni tasg gyhoeddus. Lle defnyddir gwybodaeth yn ymwneud â chyflyrau iechyd, yna dibynnir ar Erthygl 9(2) (h) y GDPR Darparu meddygaeth ataliol neu alwedigaethol, iechyd neu ofal cymdeithasol neu driniaeth, neu reoli systemau iechyd neu ofal cymdeithasol ac Erthygl 9(2) (i) y GDPR Iechyd y Cyhoedd. Rhai o'r deddfwriaethau sy'n ategu'r bwriad o ddibynnu ar erthyglau uchod y GDPR yw: Deddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984

- Rheoliadau'r Gwasanaeth Iechyd (Rheoli Gwybodaeth Cleifion) 2002
- Rheoliadau Diogelu Iechyd (Pwerau Awdurdodau Lleol) (Cymru) 2010
- Deddf Coronafeirws 2020
- Rheoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Cymru) 2020

Lle defnyddir data personol i gyflawni tasgau cyhoeddus er mwyn cyflwyno gwasanaethau a dyletswyddau er budd y cyhoedd, ystyrir mai caniatâd yw'r sail gyfreithlon leiaf priodol i ddibynnu arno.



Felly, mae'n rhaid i'r Cylch/Feithrinfa rannu manylion plant hyd yn oed os yw rhiant wedi rhoi gwybod i'r lleoliad na ellir rhannu'r wybodaeth tu allan i'r Cylch Meithrin/Meithrinfa neu wedi dweud yn benodol na ellir ei rannu â'r cynllun TTP. Fel Cylch/Meithrinfa, byddem yn troseddu trwy wrthod rhoi'r wybodaeth os daw cais. Nid oes angen caniatâd ysgrifenedig ar gyfer hyn.

Mae'r Comisiynydd Gwybodaeth wedi cynhyrchu rhai canllawiau i unigolion o ran rhoi caniatâd: <https://ico.org.uk/your-data-matters/does-an-organisation-need-my-consent/>

### **Cadw cofnodion o staff, cwsmeriaid ac ymwelwyr:**

Mae gan y Cylch Meithrin/ Feithrinfa weithdrefn mewn lle i gasglu manylion cyswllt pawb at ddiben y broses olrhain GIG Cymru.

Mae'n ofyniad cyfreithiol o dan reoliad 12 o Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 2) (Cymru) 2020.

Mae gwasanaeth Profi, Orlhain, Diogelu GIG Cymru yn helpu i atal y feirws rhag lledaenu. Bydd y Cylch/Feithrinfa yn cadw cofnod o'r holl staff, plant ac ymwelwyr, rhag ofn fod ei angen yn y dyfodol at ddibenion strategaeth Profi, Orlhain, Diogelu Llywodraeth Cymru pe bai achos o fewn y Cylch Meithrin/ Meithrinfa.

Dim ond y wybodaeth angenrheidiol sydd angen er mwyn ei gwneud hi'n bosibl olrhain pe bai angen.

### Nodir isod y wybodaeth y dylid ei chasglu at ddibenion Profi, Orlhain, Diogelu:

#### Staff:

- Enwau'r staff sy'n gweithio yn y Cylch/Feithrinfa
- Rhif ffôn cyswllt ar gyfer pob aelod o staff
- Dyddiadau ac amseroedd gwaith y staff.

#### Cwsmeriaid (plant a'u teuluoedd):

- Enw pob plentyn sy'n mynychu'r Cylch/Feithrinfa
- Rhif ffôn cyswllt ar gyfer pob plentyn
- Dyddiadau ac amseroedd pan oedd y plentyn yn bresennol

Defnyddiwch systemau sydd gennych yn barod fel ffynhonnell i gasglu'r wybodaeth hon (megis cofnodion presenoldeb plant a ffeiliau plant). Cyfeiriwch at nodyn preifatrwydd a pholisi diogelu data'r Cylch/ Meithrinfa.

#### Ymwelwyr (dim ond ymwelwyr hanfodol ddylai gael mynediad yn ystod y cyfnod hwn):

- Enwau ymwelwyr
- Rhif ffôn cyswllt ar gyfer pob ymwelydd



- Dyddiad yr ymweliad, a'r amser cyrraedd a gadael.

Bydd y Cylch/Feithrinfa yn cadw gwybodaeth am ymwelwyr dan glo am 21 diwrnod ac yn dinistrio'r wybodaeth gan nad oes angen cadw'r wybodaeth yn hirach.

Dylai'r Cylch/Feithrinfa gyfeirio at nodyn preifatrwydd a pholisi diogelu data'r Cylch/Meithrinfa a rhoi cadarnhad y byddwn:

- Yn dryloyw: Yn unol â rheolau GDPR, bydd y Cylch/Feithrinfa yn gadael i'r uchod wybod y gallai eu manylion gael eu trosglwyddo i'r awdurdodau os bydd achos positif yn cael ei gadarnhau yn y Cylch/Meithrinfa fel rhan o'r broses Profi, Orlhain a Diogelu.
- Yn cadw data yn ddiogel dan glo.
- Yn ei ddefnyddio er budd iechyd cyhoeddus yn unig drwy ei rannu â gwasanaeth Profi, Orlhain, Diogelu GIG Cymru os byddant yn gofyn amdano. Ni fyddwn yn ei rannu ac asiantaeth arall. Byddwn yn gwirio bod yr alwad gan y gwasanaeth Profi, Orlhain, Diogelu yn ddilys, ac yn wyladwrus o dwyllwyr a sgamwyr.
- Dileu data yn unol â chanllawiau Llywodraeth Cymru, sef 21 diwrnod i ymwelwyr â'r lleoliad i leihau'r risg y bydd rhywun arall yn cyrchu'r data.
- Yn sicrhau fod staff yn deall eu cyfrifoldebau ynghylch diogelu data ac y byddwn yn cyfyngu mynediad i staff angenrheidiol yn unig.

### **Rheoli achosion COVID-19**

**Os bydd rhywun o'r Cylch/ Meithrinfa yn derbyn prawf positif am Covid -19:**

- Byddwn yn adrodd y sefyllfa i'r awdurdodau lleol
- Byddwn yn cydweithio â'r GIG a'r Awdurdod Lleol ac yn dilyn eu cyngor
- Byddwn yn rhannu manylion personol â'r gwasanaeth Profi, Orlhain, Diogelu GIG os byddant yn gofyn amdanynt
- Byddwn yn rhoi gwybod i AGC fod rhywun yn y Cylch wedi cael prawf positif
- Byddwn yn dilyn 'Polisi ail agor lleoliad meithrin yn sgil cyfnod dan glo Covid 19' am arweiniad os oes achos o COVID-19 yn y lleoliad.
- Am fwy o wybodaeth ewch i [Mesurau Diogelu Mewn Lleoliadau Gofal Plant](#)

Rhif / E-bost ar gyfer Ymateb Brys Cymru Gyfan y Tîm Diogelu Iechyd (AWAReTDI):	Rhif ffôn: 0300 003 0032 E-bost: <a href="mailto:AWARe@wales.nhs.uk">AWARe@wales.nhs.uk</a> < <a href="mailto:AWARe@wales.nhs.uk">mailto:AWARe@wales.nhs.uk</a> > (Nid yw'r e-bost hwn yn cael ei fonitro tu allan i oriau swyddfa)
Rhif cyswllt ar gyfer yr Awdurdod Lleol Rhif cyswllt AGC:	Rhif ffôn: Rhif ffôn:



## **Profi Asymptomtig**

Er mwyn adnabod oedolion asymptomatig yn gyflym a lleihau'r tebygolrwydd o glystyrau ac achosion mewn lleoliadau, mae profion coronafirws canlyniad cyflym (COVID-19) ar gael i'r holl staff sy'n gweithio mewn ysgolion a lleoliadau o Chwefror 2021.

Mae pecynnau profi adref yn cael eu cynnig i bob lleoliad cofrestredig sydd ar agor er mwyn i staff allu cymryd profion dwy waith yr wythnos. Mae profi yn wirfoddol, ond mae'r rheini sy'n gymwys yn cael eu hannog yn gryf i gymryd rhan er mwyn lleihau'r risg o drosglwyddo asymptomatig yn y gweithle.

I gael rhagor o wybodaeth am gadw data personol staff / ymarferwyr wrth ei rannu ar gyfer y system adrodd profion llif unffordd, cyfeiriwch at **Polisi Profion Asymptomtig ar gyfer Covid-19**



## COVID 19

**This policy has been updated for the period in which there is a declaration of a global pandemic caused by the virus COVID 19. The additional attachments highlighted in green, with subsequent attachments in yellow, are mandatory and take priority over the Cylch's / Nursery's former policies if there is a change of procedure. We will refer also to the setting's COVID Risk Assessment and checklist.**

### Collecting staff data

The Cylch will seek to safeguard the Cylch / Nursery staff during the COVID 19 pandemic by collecting data and reviewing it regularly to assess the health risk to the member of staff, e.g. COVID 19 Staff Declaration Form before returning to work. The Cylch/Nursery [Manager/Leader] will liaise with the member of staff when necessary to discuss the specific arrangements regarding individual health circumstances. All information provided on this form will be treated as confidential and managed in accordance with relevant data protection legislation and guidance. You have a right of access to information held on you under the Data Protection Act 2018. This form will be held securely and retained on your personal file in line with the Cylch/Nursery's Data Protection Policy.

### Test, Trace and Protect Strategy

Personal data processed under the NHS Test, Trace and Protect Strategy, which includes the gathering, recording and sharing, of personal data, is taken in line with data protection legislation. This provides a number of lawful basis to be relied upon for such processing to be considered lawful. The processing is done on the basis of GDPR Article 6 (e) as it is needed to perform a public task.

Where information relating to health conditions is used then GDPR Article 9 (2) (h) Provision of preventative or occupational medicine, health or social care or treatment, or the management of health or social care systems and GDPR Article 9 (2) (i) Public Health are relied upon.

Some of the legislation which supports reliance on the above GDPR articles are:

1. Public Health (Control of Disease) Act 1984
2. The Health Service (Control of Patient Information) Regulations 2002
3. The Health Protection (Local Authority Powers) (Wales) Regulations 2010
4. Coronavirus Act 2020
5. The Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020



Where the use of personal data is in the deliverance of public tasks carried out in the delivery of services and duties in the public interest, consent is considered to be the least appropriate lawful basis to be relied upon.

Therefore, the Cylch/Nursery must provide the details of children irrespective of whether the parent has advised the setting that the information cannot be shared outside of the Cylch/Nursery or has advised explicitly that it cannot be shared with the TTP scheme. As a Cylch Meithrin/Nursery, we would be committing a criminal offence if we refused to provide the information when asked for it. Written consent is not required for this.

The Information Commissioner has produced some guidance for individuals in respect of consent <https://ico.org.uk/your-data-matters/does-an-organisation-need-my-consent/>

### **Keeping records of staff, customers and visitors:**

The Cylch Meithrin / Nursery have a procedure in place to collect contact details for the purpose of the NHS Wales tracking process.

It is a legal requirement under regulation 12 of the Health Protection (Coronavirus Restrictions) (No 2) (Wales) Regulations 2020.

NHS Wales' Test, Trace, Protect strategy aims to prevent the spread of the virus. The Cylch / Nursery will keep a record of all staff, children and visitors in case it is needed in the future for the purposes of Test, Trace, Protect strategy in the event of a case within the Cylch Meithrin / Nursery.

The Cylch/Nursery will only require the necessary information needed to make it possible to track an individual who has been in contact with a positive case.

The information that should be collected for Test, Trace, Protect purposes is set out below:

#### Staff:

- Names of staff working at the Cylch / Nursery
- Contact telephone number for all staff
- Staff working dates and times.

#### Customers (children and their families):

- The name of each child attending the Cylch / Nursery
- Contact telephone number for each child
- Dates and times when the child was present



The Cylch/Nursery will use existing systems as a source to gather this information (such as child attendance records and children's files) in compliance to the Cylch / Nursery's privacy note and data protection policy.

Visitors (only essential visitors should be admitted during this period):

- Visitor names
- Contact telephone number for all visitors
- Date of visit, time of arrival and departure.

The Cylch / Nursery will keep visitor information under lock for 21 days and then destroy the information.

The Cylch / Nursery should refer to the Cylch / Meithrin's privacy note and data protection policy and confirm that we will:

- Be transparent: In accordance with GDPR rules, the Cylch / Nursery will inform the above that their details may be passed to the authorities if a positive case is confirmed at the Cylch / Nursery as part of the Test, Trace, Protect process.
- Keep data secure and locked.
- Will only be shared for public health benefit with NHS Wales Test, Trace, Protect service on request. Personal information will not be shared with any other agency. We will check that any call from the Test, Trace, Protect service is genuine, and we will be aware of fraudsters and scammers.
- Will delete data in accordance with Welsh Government guidelines and only keep visitors to the setting information for 21 days to reduce the risk of someone else accessing the data.
- Ensure that staff understand their data protection responsibilities and restrict access to the information to a very limited number of staff.

### **COVID-19 case management**

If someone from the Cylch / Nursery receives a positive test for Covid -19:

- We will report the situation to the Local Authority
- We will work with the NHS and Local Authority and follow their advice
- We will share personal details with the NHS Test, Trace, Protect service only when requested to do so
- We will inform CIW that there has been a positive case at the Cylch
- We will follow our policy 'Reopening Meithrin Setting after Period of Lockdown due to Covid 19'



For more information visit [Protective measures in childcare settings: Keep Childcare Safe](#)

All Wales Health Protection Team Emergency Response Number / E-mail (AWARETDI):	Phone: 0300 003 0032 E-Mail <a href="mailto:AWARe@wales.nhs.uk">AWARe@wales.nhs.uk</a> < <a href="mailto:AWARe@wales.nhs.uk">mailto:AWARe@wales.nhs.uk</a> > (This e-mail is not monitored outside office hours)
Contact number for the Local Authority CIW contact number:	Phone: Phone:

### Asymptomatic testing

In order to quickly detect asymptomatic adults and reduce the likelihood of clusters and outbreaks in settings, rapid-result coronavirus (COVID-19) tests are available to all staff working in registered childcare settings from February 2021.

Test at home kits will be offered to all open settings for staff to take twice weekly tests. Testing is voluntary, but those who are eligible for tests are strongly encouraged to participate to further reduce the risk of asymptomatic transmission within the workplace.

Please refer to the Cylch Meithrin **Asymptomatic COVID-19 testing policy** for further information regarding *staff / practitioner data when recording on the Lateral Flow Test portal*



## Cylch Meithrin Meini Bach

### POLISI CYFRINACHEDD A DIOGELU DATA

Bydd **Cylch Meithrin Meini Bach** yn dilyn y polisi hwn a'i addasu yn ôl yr angen a'i adolygu yn flynyddol.

Bydd arweinydd **Cylch Meithrin Meini Bach** yn sicrhau fod pob aelod o staff yn deall y polisi hwn.

Bydd **Cylch Meithrin Meini Bach** yn sicrhau bod rhieni a gofalwyr yn gwybod am y polisi hwn trwy gymryd y camau canlynol:

1. Rhoi copi o'r polisi mewn cyntedd neu fan ble gall pobl ei weld
2. Rhoi'r polisi ar wefan y cylch

#### ADOLYGWYD GAN

#### DYDDIAD

(Enw)	(Llofnod)	(Pryd)
Mari Hannah Lanchbury	M.LANCHBURY	15/6/22

*(Awgrymir eich bod yn adolygu eich polisi yn flynyddol a hysbysu AGC, lle bo hynny'n berthnasol, os ydych wedi gwneud newidiadau iddo.)*



## Cylch Meithrin Meini Bach

### CONFIDENTIALITY AND DATA PROTECTION POLICY

**A Welsh language version of this policy is available. If there is any ambivalence about the wording of the policy, the Welsh language version is always the correct copy.**

**Cylch Meithrin Meini Bach** follows this policy and guideline pack, reviews it annually and updates it as required.

The **leader of Cylch Meithrin Meini Bach** will ensure that every member of staff understands this policy.

**Cylch Meithrin Meini Bach** will ensure that parents and carers and the local authority are aware of this policy by taking the following steps:

1. Policy will be placed on the **Cylch Meithrin** website.
2. Place policy in the entrance or where people are able to view it.

#### REVIEWED BY

#### DATE

(Name)

(Signature)

(Date)

Mari Hannah Lanchbury

M.LANCHBURY

15/6/22

*(It is suggested that you review your policy annually and notify CIW of any changes you make.)*

## **POLISI CYFRINACHEDD A DIOGELU DATA**

Mae'r polisi hwn yn berthnasol i holl weithwyr cyflogedig, gwirfoddolwyr, myfyrwyr ar brofiad gwaith, aelodau o bwyllgor y Cylch Meithrin, y plant o dan ein gofal a'u teuluoedd. Gall torri'r Polisi hwn arwain at achos disgyblu a gall achosion difrifol arwain at ddiswyddo yn ôl trefn disgyblu'r Cylch Meithrin.

### **Nod**

Mae gan bawb hawliau o ran sut mae eu gwybodaeth bersonol yn cael ei thrin. Mae'r Cylch Meithrin yn cydnabod bod angen trin yr wybodaeth hon mewn ffordd briodol a chyfreithlon.

Nod y Cylch Meithrin yw sicrhau y cedwir pob gwybodaeth am yr holl weithwyr cyflogedig, gwirfoddolwyr, myfyrwyr ar brofiad gwaith, ac aelodau o bwyllgor y cylch meithrin, rhieni/gofalwyr/gwarcheidwaid a'r plant yn ddiogel ac yn gyfrinachol yn unol â gofynion y Rheoliad Gwarchod Data Cyffredinol (RhGDC) (*General Data Protection Regulation, GDPR*). Y Cylch Meithrin yw'r rheolwr data ar gyfer unrhyw ddata personol sy'n cael ei brosesu.

Ni fydd gwybodaeth yn cael ei rhannu na'i ddatgelu i bersonau / asiantaethau nag sy'n gymwys i dderbyn yr wybodaeth.

### **Hawliau Plant**

Mae'r polisi hon yn rhan o sicrhau fod y Cylch Meithrin yn parchu hawliau plant sydd yng Nghonfensiwn y Cenhedloedd Unedig ar Hawliau Plant, yn benodol:

- Erthygl 3: Dylai pob sefydliad sy'n ymwneud â phlant bob amser wneud yr hyn sydd orau i bob plentyn.
- Erthygl 14: Mae gan blant yr hawl i feddwl a chreu'r hyn a fynnant ac i arfer eu crefydd, cyhyd ac nad ydynt yn cadw pobl eraill rhag mwynhau eu hawliau.
- Erthygl 16: Mae gan blant yr hawl i breifatrwydd. Dylai'r gyfraith eu cadw rhag ymosodiadau ar eu ffordd o fyw, eu henw da, eu teuluoedd a'u cartrefi.



## **CONFIDENTIALITY AND DATA PROTECTION POLICY**

This policy is relevant to all employees, volunteers, students on placement or work experience and members of the Cylch Meithrin committee. Breaching this policy could lead to disciplinary procedures and serious incidents could lead to dismissal in line with the Cylch Meithrin's disciplinary procedure.

### **Aim**

Everyone has rights regarding how their personal information is treated. The Cylch Meithrin recognises the need to treat this information in an appropriate and lawful manner.

The aim of the Cylch Meithrin is to ensure that all information regarding employees, volunteers, students on work experience and members of the Cylch Meithrin committee, parents/carers/guardians and children is kept securely and confidentially as required by the General Data Protection Regulation (GDPR). The Cylch Meithrin 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.

### **The Rights of the Child**

This policy aims to ensure that the Cylch Meithrin respects children's rights as stated in the United Nations Convention on The Rights of the Child, specifically:

- Article 3: All organisations concerned with children should work towards what is best for each child.
- Article 14: Children have the right to think and believe what they want and to practice their religion, as long as they are not stopping other people from enjoying their rights.
- Article 16: Children have a right to privacy. The law should protect them from attacks against their way of life, their good name, their families and their homes.

## **Rheoliad Gwarchod Data Cyffredinol (RhGDC) (2018)**

Nid bwriad y Ddeddf yw atal casglu a phrosesu data personol<sup>1</sup>, ond sicrhau ei fod yn cael ei wneud yn deg a heb effeithio'n negyddol ar hawliau'r unigolyn. Er mwyn i ddata personol gael eu prosesu'n gyfreithlon, mae'n rhaid bodloni amodau penodol.

Mae'r Cylch Meithrin yn ymrwymo i sicrhau y bydd data personol yn cael ei gadw, ei brosesu, a'i drosglwyddo yn ôl y Rheoliad Gwarchod Data Cyffredinol (2018) drwy sicrhau bod data personol a categorïau arbennig o ddata personol<sup>2</sup>:

- yn cael ei brosesu mewn ffordd teg, cyfreithlon a thryloyw.
- yn cael ei gasglu at ddibenion penodol, eglur a dilys.
- yn gywir, a lle bo angen, yn gyfoes.
- yn cael ei gadw mewn ffurf adnabyddadwy dim ond am y cyfnod sy'n angenrheidiol.
- yn cael ei brosesu ar gyfer pwrpasau cyfyngedig ac mewn ffordd briodol.
- yn ddigonol, yn berthnasol, yn angenrheidiol, ond nid yn ormodol at y diben.
- yn cael ei brosesu yn unol â hawliau'r unigolyn.
- yn cael ei gadw'n ddiogel.
- yn cael ei drosglwyddo dim ond i eraill sydd â phrosesau diogelwch digonol.

## **Hawliau Parthed Data a Gedwir am Unigolion**

Ystyrir unrhyw wybodaeth sy'n ymwneud ag 'unigolyn byw, adnabyddadwy' yn ddata personol. Mae'n golygu unigolyn byw y gellir ei adnabod, yn uniongyrchol neu'n anuniongyrchol. Nid yw ystadegau yn cyfri fel data personol.

Mae hawl gan unigolion i gael mynediad at yr wybodaeth a gedwir amdano/amdani yn awr ac yn y man o fewn rheswm. Dylid gwneud ceisiadau yn ysgrifenedig i'r Cylch Meithrin, a fydd yn ymateb i'r ceisiadau hyn. Fe fydd y Cylch Meithrin yn dilyn canllawiau Swyddfa'r Comisiynydd Gwybodaeth wrth ddelio ag unrhyw geisiadau o'r fath<sup>3</sup>, a cheir mwy o fanylion ar y ffurflen 'GDPRMM3: Proses Cais Mynediad at Wybodaeth gan Unigolyn'<sup>4</sup>.



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

The purpose of the Act is not to prevent the collection and processing of personal data<sup>5</sup>, but to ensure that it is done fairly and without effecting the rights of the individual. In order for personal data to be lawfully processed, certain conditions must be met.

The Cylch Meithrin 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<sup>6</sup> 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 Cylch Meithrin, who will respond to the application. The Cylch Meithrin will follow the Information Commissioner's Office's guidelines when dealing with any applications of this nature, further information can be found on the form 'GDPRMM3: Subject Access Request Process'<sup>7</sup>

---

<sup>5</sup> The GDPR defines Personal Data as any information relating to an identifiable person who can be directly or indirectly identified. The definition provides for a wide range of personal identifiers to constitute personal data, including name, identification number, location data or online identifier, reflecting changes in technology and the way organisations collect information about people.

<sup>6</sup> 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/>

<sup>7</sup> A copy of the form is available here: <https://intranet.meithrin.co.uk/gdpr-processes-and-templates/>  
Polisi Cyfrinachedd a Diogelu Data Medi 2021 / Confidentiality and Data Protection Policy September 2021.COVID CM f4



Fe fydd y Cylch Meithrin yn cofnodi unrhyw gais am wybodaeth o'r fath, a'i chadw ar ffurflen briodol<sup>8</sup>.

Fe fydd y Cylch Meithrin yn dweud wrth unigolyn am eu hawliau pan fydd y Cylch yn casglu gwybodaeth bersonol. Mae gan bawb hawl:

- i gael gwybod (am eu hawliau ac am y ffaith bod eu data yn cael ei brosesu).
- i gael mynediad at y data personol rydych yn ei gasglu. (*Cais Mynediad at Ddata / Subject Access Request*).
- i gywiro'r gwybodaeth personol rydych yn ei gadw.
- i ddileu'r gwybodaeth personol rydych yn ei gadw.
- i gyfyngu prosesu'r gwybodaeth personol rydych yn ei gadw.
- i symudadwyedd ('portability') data (e.e. i symud eu data o un sefydliad i un arall)
- i wrthwynebu i chi casglu neu phrosesu'r gwybodaeth personol.
- mewn perthynas â defnyddio'r data personol i wneud penderfyniadau awtomataidd.

### **Swyddfa'r Comisiynydd Gwybodaeth**

Mae **Cylch Meithrin Meini Bach** ei gofrestru fel Rheolwr Data ar y gofrestr Diogelu Data a gedwir gan y Comisiynydd Gwybodaeth<sup>9</sup>.

Mae copi o'r dystysgrif yn cael ei arddangos ar hysbysfwrdd y lleoliad / ar gael gan **[enw Arweinydd/Cadeirydd/Rheolwr]**. Cyfeirnod Cofrestru'r Cylch yw: **xxxxxxxxxx**.

### **Pencampwr Data**

Mae'r Cylch Meithrin wedi penodi Pencampwr Data. Os oes gennych unrhyw gwestiwn, neu os hoffech gweithredu eich hawliau, cysylltwch gyda'r Pencampwr Data gan ddefnyddio'r manylion cyswllt a noder isod.

### **At Sylw: Pencampwr Data Cylch Meithrin**

**[Enw]**

**[E-bost Cyswllt]**

**[Cyfeiriad Post Cyswllt]**

---

<sup>8</sup> Ceir templed o ddogfen Basdata Cofnodi Ceisiadau Mynediad at Wybodaeth yma :

<https://intranet.meithrin.co.uk/prosesau-a-thempledir-rhddc-gdpr/>

<sup>9</sup> Cofrestr Rheolwyr Data <https://ico.org.uk/about-the-ico/what-we-do/register-of-data-controllers/>  
Polisi Cyfrinachedd a Diogelu Data Medi 2021 / Confidentiality and Data Protection Policy September 2021.COVID CM f4



The Cylch Meithrin will record of any such requests, and keep them on an appropriate form<sup>10</sup>.

The Cylch Meithrin will inform individuals of their rights when the Cylch collects 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.

### **Information Commissioner's Office**

**Cylch Meithrin** \_\_\_\_\_ is registered as a Data Controller on the Data Protection register which is held by the Information Commissioner<sup>11</sup>.

A copy of the certificate is displayed on the notice board at the setting / is available from **[name of Leader/Chair/Manager]**. The Cylch Meithrin's Registration Number is: **XXXXXXXXXX**.

### **Data Champion**

The Cylch Meithrin has appointed a Data Champion. Should you have any questions, or should you wish to exercise any of your rights, please contact the Data Manager using the details set out below.

### **FAO: Data Champion Cylch Meithrin**

**[Name]**

**[Contact e-mail address]**

**[Contact Post address]**

---

<sup>10</sup> A template for a Subject Access Request Database can be found here: <https://intranet.meithrin.co.uk/gdpr-processes-and-templates/>

<sup>11</sup> Register of Data Controllers <https://ico.org.uk/about-the-ico/what-we-do/register-of-data-controllers/>  
Polisi Cyfrinachedd a Diogelu Data Medi 2021 / Confidentiality and Data Protection Policy September 2021.COVID CM f4

## Cod Ymarfer

Mae'r Cylch Meithrin yn disgwyl i holl weithwyr cyflogedig, gwirfoddolwyr, myfyrwyr ar brofiad gwaith, ac aelodau o bwyllgor y Cylch Meithrin fod yn ymwybodol o, deall, a dilyn y polisi hwn.

Mae'r Cylch Meithrin yn ymrwmo i:

- gymryd pob cam sydd yn ymarferol bosib i sicrhau diogelwch unrhyw ddata personol a gesglir ac / neu a gedwir gan y Cylch Meithrin.
- sicrhau cyflwyno'r polisi hwn fel rhan o raglen anwytho staff newydd.
- nodi'n glir pwy (e.e. staff /gwirfoddolwyr / rheolwyr / aelodau pwyllgor) sydd yn cael mynediad at ddogfennau a ffeiliau penodol (e.e. mewn cyfarfod swyddogol megis cyfarfod pwyllgor neu gyfarfod rheoli) sy'n cael ei gofnodi gan nodi'r penderfyniad.
- sicrhau mai dim ond unigolion sydd â hawl i fynediad at y data, ac sydd angen cael mynediad at y data sydd yn medru cael at y data.
- ddiogelu unrhyw ddogfennau a ffurflenni sy'n nodi unrhyw wybodaeth bersonol am aelod o staff, myfyrwyr ar leoliad gwaith, gwirfoddolwyr, aelodau o'r pwyllgor/tîm rheoli, rhieni/gofalwyr/gwarcheidwaid a'r plant e.e. ffeil bersonél, gwybodaeth bersonol y plentyn, cofnodion cyflogau, manylion iechyd.
- sicrhau bod angen cyfrinair er mwyn cael mynediad at offer digidol sydd yn storio gwybodaeth sensitif.
- beidio gadael data personol mewn man cyhoeddus.
- ofyn am ganiatâd gan rieni i rannu manylion gyda cyrff allanol at bwrpasau arolygu (e.e. Estyn eisiau gweld cofnod cynnydd / Mudiad Meithrin eisiau gweld cofnod cynnydd fel rhan o'r cynllun achredu ansawdd).
- drefnu rhannu gwybodaeth gyda rhieni/gofalwyr/gwarcheidwaid am eu plentyn mewn man/ystafell breifat.
- ddilyn canllawiau'r Polisi hwn ynglŷn â chadw unrhyw wybodaeth gyfrinachol yn ddiogel.
- ddilyn canllawiau'r **Polisi E-Ddiogelwch** ynglŷn â chadw unrhyw wybodaeth ddigidol yn ddiogel.



## Code of Practice

The Cylch Meithrin expects all employees, volunteers, work experience students, and members of the Cylch Meithrin committee to be aware of, to understand, and to follow this policy.

The Cylch Meithrin 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 the Cylch Meithrin.
- ensuring that this policy is presented to new staff members as part of their induction programme.
- clearly stating who (e.g. staff / volunteers / managers / committee member) is permitted to access specific documents and files (e.g. in an official meeting such as a committee or 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, work experience student, volunteer, committee member/management team, 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 (e.g. Estyn want to see a progress record / Mudiad Meithrin want to see a progress record as part of the quality accreditation scheme).
- sharing information with parents/carers/ guardians regarding their child in a private area / room.
- follow the **E-Safety Policy** guidelines with regards to storing any digital information securely.

## Cyfrifoldeb y Lleoliad fel Deiliad Gwybodaeth Bersonol

Ni ddylid datgelu gwybodaeth bersonol am staff, myfyrwyr ar brofiad gwaith, gwirfoddolwyr, aelodau o'r pwyllgor/tîm rheoli, rhieni/gofalwyr/gwarcheidwaid na'r plant i unrhywun y tu mewn, na'r tu allan i'r Cylch Meithrin, os nad oes angen amlwg i'r lleoliad i wneud hynny i gyflawni ei waith.

Fe fydd y Cylch Meithrin yn:

- rhannu datganiad preifatrwydd gydag unigolion sydd yn esbonio pa ddata rydych yn ei gasglu fel sefydliad, o ble mae'r data yn dod, dibenion a'r sail gyfreithiol ar gyfer prosesu, hawliau'r unigolyn (gan gynnwys yr hawl i dynnu caniatâd yn ôl ac i gyflwyno cwyn), derbynwyr posib y data, ac unrhyw ganlyniadau methu a darparu data.
- penodi unigolyn o fewn y sefydliad i fod yn gyfrifol am Ddiogelwch Data, ac yn cofnodi'r penderfyniad hyn.
- cynnal awdit o'r data sy'n cael ei gadw a'i phrosesu gan y cylch. Fe fydd yr awdit yn nodi pam mae'r data yn ei gasglu, ar gyfer beth, sut, ble mae'n cael ei gadw, ac am ba hyd<sup>12</sup>.
- sicrhau dinistrio unrhyw wybodaeth nad oes angen ei gadw yn ddiogel.
- diogelu unrhyw ddata personol sydd yn cael ei gadw.
- cydymffurfio gydag unrhyw geisiadau am wybodaeth personol gan unigolion, gan gadw cofnod o'r ceisiadau ar ffurflen priodol.

## Rhannu Gwybodaeth a Cheisiadau am Wybodaeth

Dim ond y **Person Cofrestredig / Arweinydd** neu'r sawl sy'n dirprwyo iddo / iddi sydd â'r hawl i rannu gwybodaeth gyfrinachol gydag asiantaethau eraill (e.e. AGC, Estyn, Gwasanaethau Cymdeithasol, Mudiad Meithrin).

Rhaid bod yna sail cyfreithiol ar gyfer unrhyw geisiadau prosesu data personol. Mae 6 sail cyfreithiol posib:

1. Cydsyniad/caniatâd y 'data subject' i wneud
2. Cytundeb - mewn cyswllt â chytundeb/archeb/darparu gwasanaeth
3. Er budd y cyhoedd (e.e. CCTV mewn gofod cyhoeddus)
4. Yn niddordeb hanfodol y 'data subject'/unigolyn
5. Yn ein diddordeb cyfreithlon i gasglu (buddiannau cyfreithlon)
6. Rhwymedigaeth gyfreithiol i gasglu

Lle bo hynny'n briodol, gellir casglu gwybodaeth oddi wrth a'i rhannu, o dderbyn cais dilys, â'r sefydliadau neu'r unigolion a rhestr isod.



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

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

The Cylch Meithrin will:

- share a privacy notice with individuals, which explains which data is collected by the organisation, where the data comes from, the purpose and legal reason for collecting the data, the rights of the individual (including the right to rescind consent and to make a complaint), the possible receivers of the data, and any consequences of failing to provide the data.
- appoint a person within the organisation to be responsible for Data Security, and minute this decision.
- conduct an audit of the data which is collected and processed by the Cylch. The audit will note what data is collected, why it is collected, how it is collected, where it is kept and for how long<sup>13</sup>.
- make sure that any data that is not required is safely disposed of.
- protect any personal data that is kept.
- comply with any requests for personal data from individuals, keeping a record of these requests on an appropriate form.

## Sharing Information and Requests for Information

Only the **Registered Person / Leader** or his/her deputy has the right to share confidential information with other agencies (e.g. CIW, Estyn, Social Services, Mudiad Meithrin).

There must be lawful grounds for any requests to process personal data. There are 6 possible legal grounds:

1. consent / permission of the 'data subject' to do so.
2. Agreement – in relation to contracts/orders/service delivery.
3. For the benefit of the Public (e.g. CCTV cameras in public spaces).
4. In the intrinsic interest of the 'data subject' / individual.
5. It is our legal interest to collect (legal benefits).
6. A legal duty to collect.

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



Fe fydd y Cylch Meithrin yn dilyn canllawiau Swyddfa'r Comisiynydd Gwybodaeth ar rannu gwybodaeth wrth ddelio ag unrhyw geisiadau o'r fath, ac yn sicrhau cofnodi unrhyw gais am wybodaeth o'r fath, a'i chadw ar ffurflen briodol<sup>14</sup>.

- Yr unigolyn ei hun neu'r rhiant/gwarchodwr/gwarcheidwaid ar ran y plentyn.
- Cyflogwyr: cyn-gyflogwyr, cyflogwr presennol a darpar gyflogwyr.
- Cyllid y Wlad
- Y Swyddfa Gartref
- Adran Gwaith a Phensiwn (*DWP*)
- Yr Heddlu
- Gwasanaethau Cymdeithasol
- AGC
- Y Person Cofrestredig / Cadeirydd y Pwyllgor Rheoli / Rheolwr y Feithrinfa.
- Yr Adran Addysg Lleol
- Estyn
- Mudiad Meithrin
- Llywodraeth Cymru.

**Gweler Polisi Amddiffyn Plant am broses i ddilyn os oes digwyddiad difrifol yn codi ac angen cloi ffeil record y plentyn lawr yn llwyr (mewn cydweithrediad gyda'r Heddlu/Gwasanaethau Cymdeithasol).**

Ble mae angen rhannu gwybodaeth gyda Mudiad Meithrin, fe fydd y Cylch Meithrin yn:

- dilyn canllawiau Swyddfa'r Comisiynydd Gwybodaeth ar rannu gwybodaeth wrth rhannu gwybodaeth meintiol (e.e. data dilyniant addysg plentyn).
- dilyn datganiad preifatrwydd y Cylch Meithrin.

### Cadw Gwybodaeth

Bydd y Cylch Meithrin yn:

- dilyn canllawiau'r **Polisi hon** ynglŷn â chadw unrhyw wybodaeth yn ddiogel.
- dilyn canllawiau'r **Polisi E-Ddiogelwch** ynglŷn â chadw unrhyw wybodaeth ddigidol yn ddiogel.
- cadw pob dogfen a ffurflen gyfrinachol mewn man diogel dan glo.
- sicrhau nad yw'r wybodaeth yn cael ei chludo o un man i'r llall, na'i gadael mewn man cyhoeddus.
- nodi'n glir pwy (e.e. **staff / gwirfoddolwyr / arweinydd / aelodau pwyllgor**) sydd yn cael mynediad at ddogfennau a ffeiliau penodol (e.e. mewn cyfarfod swyddogol megis **cyfarfod pwyllgor / cyfarfod rheoli**) sy'n cael ei gofnodi gan nodi'r penderfyniad.



The Cylch Meithrin 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<sup>15</sup>.

- 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
- CIW
- The cylch/nursery's Registered Person / Management Committee Chairperson / Manager.
- Local Education Authority
- Estyn
- Mudiad Meithrin
- Welsh Government.

**Refer to the Child Protection Policy for process to follow if a serious incident arises and the child's record file needs to be locked down (in co-operation with the Police/Social Services).**

When information needs to be shared with Mudiad Meithrin, the Cylch Meithrin will:

- follow the Information Commissioner's Office guidelines on sharing information when sharing quantitative data (e.g. education progression data).
- follow the Cylch Meithrin Privacy Statement.

### Storage of information

The Cylch Meithrin will:

- follow the **this Policy's** guidelines regarding keeping information securely.
- follow the **E-Safety Policy** guidelines to ensure that digital information is kept securely.
- ensure that all confidential forms and are locked away in a secure place.
- ensure that the information is not transferred from one place to another or left in a public place.
- clearly state who (e.g. **staff/ volunteers/ managers/committee members**) has access to specific files and documents (e.g. in a formal committee such as a **committee meeting or management meeting**) which is recorded with the decision noted.

---

<sup>15</sup> A template for the data audit checklist can be found here: <https://intranet.meithrin.co.uk/gdpr-processes-and-templates/>

- dilyn chanllawiau'r Polisi hwn ynglŷn â rhannu gwybodaeth ag asiantaethau eraill.
- sicrhau mai dim ond unigolion sydd â hawl i fynediad at y data, ac sydd angen cael mynediad at y data sydd yn medru cael at y data.

### Cyfnod Cadw Gwybodaeth

Bydd y Cylch Meithrin yn dilyn rheolau statudol ynglŷn â chyfnodau cadw gwybodaeth ar gyfer mathau penodol o ddogfennau. Gweler manylion yn Atodiad 1 i'r polisi hwn.

Bydd y Cylch Meithrin yn sicrhau peidio a chadw gwybodaeth personol mewn ffurf adnabyddadwy am ddim mwy o amser nag sydd angen.

### Gwaredu Gwybodaeth

Bydd y Cylch Meithrin yn sicrhau gwaredu gwybodaeth bersonol a chyfrinachol gan ddefnyddio dulliau diogel priodol.

Bydd y Cylch Meithrin yn:

- dinistrio dogfennau papur gan ddefnyddio peiriant rhwygo (*Shredder*).
- dinistrio disgiau hyblyg, cofbinnau a CD-ROMau gael eu dinistrio a llaw pan nad oes eu hangen mwyach (e.e. drwy eu torri'n ddarnau mân gyda siswrn).
- sicrhau dileu dogfennau digidol o'r storfa wrthgefn yn ogystal â'u dileu o'r system ei hun.
- sicrhau dinistrio a / neu dileu gwybodaeth personol pan nad oes ei hangen rhagor.

### E-Ddiogelwch a Rhwydweithiau Cymdeithasol

Fe fydd y Cylch Meithrin yn dilyn canllawiau'r **Polisi E-Ddiogelwch** ynglŷn â cadw data'n ddiogel yn unol â chanllawiau Swyddfa'r Comisiynydd Gwybodaeth<sup>16</sup>.

Bydd y Cylch Meithrin yn dilyn canllawiau'r **Polisi E-Ddiogelwch** a sicrhau peidio torri cyfrinachedd a diogelu data digidol ar bob achlysur.

Bydd y Cylch Meithrin yn nodi'n glir pwy fydd yn gyfrifol am ddiweddarau'r manylion a rannir ar unrhyw dudalennau rhwydweithio cymdeithasol sydd yn rhan o waith y lleoliad, gan ddilyn canllawiau'r **Polisi E-Ddiogelwch** ar ddefnydd rhwydweithiau cymdeithasol.

---

16 Swyddfa'r Comisiynydd Gwybodaeth: 'Principle 7 – Security' <https://ico.org.uk/for-organisations/guide-to-data-protection/principle-7-security/>  
Polisi Cyfrinachedd a Diogelu Data Medi 2021 / Confidentiality and Data Protection Policy September 2021.COVID CM f4



- adhere to the guidelines laid out in this Policy regarding sharing information with other agencies.
- ensure that only authorised staff who have the right to access the data, and who require access to the data, are able to access the data.

### Information Retention Period

The Cylch Meithrin will follow statutory rules regarding the period of time to keep specific types of information. See details in Appendix 1 of this document.

The Cylch Meithrin will ensure that it keeps personal data in a recognisable format for no longer than is necessary.

### Disposal of Information

The Cylch Meithrin will use appropriate secure measures to ensure disposal of any confidential and personal information.

The Cylch Meithrin will:

- destroy paper records by using a shredder.
- destroy floppy discs, Memory sticks and CD-Roms 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

The Cylch Meithrin will follow the **E-Safety Policy** regarding ensuring data is stored securely in line with the guidelines issued by the Information Commissioner's Office<sup>17</sup>.

The Cylch Meithrin 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.

The Cylch Meithrin 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.

---

<sup>17</sup> Information Commissioner's Office: 'Principle 7 – Security' <https://ico.org.uk/for-organisations/guide-to-data-protection/principle-7-security/>



Mae'r Cylch Meithrin yn disgwyl i holl weithwyr cyflogedig, gwirfoddolwyr, myfyrwyr ar brofiad gwaith, ac aelodau o bwyllgor y Cylch Meithrin, i ddilyn canllawiau'r **Polisi E-Ddiogelwch** pan fyddant yn defnyddio rhwydweithiau cymdeithasol yn eu bywyd personol.

### Toriad Data

Mae Toriad Data ('*Data Breach*') yn doriad diogelwch sy'n arwain at un o bum canlyniad posibl:

- colli data personol,
- difrod i neu ddinistrio data personol,
- newid data personol heb awdurdod,
- datgelu gwybodaeth personol heb awdurdod,
- neu fynediad anawdurdodedig i wybodaeth personol.

Rhaid adrodd toriadau data **perthnasol** i'r ICO o fewn 72 awr a hysbysu'r unigolyn yn ogystal os oes risg uchel o effeithiau andwyol iddynt. Ceir mwy o fanylion, a ffurflen cofnodi ac hysbysu'r toriad data ar y ffurflen 'GDPRMM2'<sup>18</sup>.

### Torri Cyfrinachedd

Bydd y Cylch Meithrin yn ystyried unrhyw achos o dorri cyfrinachedd yn fater difrifol, ac yn ymchwilio yn llawn i'r mater gan gyfeirio at y **Polisi Staffio**.

Gall torri'r Polisi hwn arwain at achos disgyblu a gall achosion difrifol arwain at ddiswyddo yn ôl trefn disgyblu'r Cylch Meithrin.

### **Polisiau Cysylltiedig**

Polisi Amddiffyn Plant

Polisi E-Ddiogelwch

Polisi Staffio

---

<sup>18</sup> <https://intranet.meithrin.co.uk/prosesau-a-thempledir-rhddc-gdpr/>



The Cylch Meithrin expects all employees, volunteers, students on placement or work experience and members of the cylch committee 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 adverse affects. More Information, and a form to record and inform about data breaches can be found on the form 'GDPRMM2'<sup>19</sup>.

### Breach of Confidentiality

The Cylch Meithrin will consider any case of breaching confidentially as a severe mater and will investigate the matter fully by referring to the **Staffing Policy**.

Breaching this policy can lead to a disciplinary and serious incidents can lead to dismissal in line with the Cylch Meithrin's disciplinary procedure.

### Associated Policies

Child Protection Policy

E-Safety Policy

Staffing Policy

---

<sup>19</sup> <https://intranet.meithrin.co.uk/gdpr-processes-and-templates/>



## **Cysylltiadau a Gwybodaeth Ddefnyddiol**

Awgrymir cyfeirio at y cyhoeddiadau a'r gwefannau isod am fwy o fanylion:

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

Swyddfa Comisiynydd Gwybodaeth: 'Special category data' <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/>

Swyddfa'r Comisiynydd Gwybodaeth 'Right of access' <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-of-access/>

Swyddfa'r Comisiynydd Gwybodaeth: 'Register (notify) under the Data Protection Act' <https://ico.org.uk/for-organisations/register/>

Swyddfa'r Comisiynydd Gwybodaeth: 'Guide to Data Protection' <https://ico.org.uk/for-organisations/guide-to-data-protection/>

Swyddfa'r Comisiynydd Gwybodaeth: 'Data Sharing' <https://ico.org.uk/for-organisations/guide-to-data-protection/data-sharing/>

Swyddfa'r Comisiynydd Gwybodaeth: 'Security' <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/security/>

Swyddfa'r Comisiynydd Gwybodaeth 'Personal Data Breaches' <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/personal-data-breaches/>

Swyddfa'r Comisiynydd Gwybodaeth: 'Data protection self assessment toolkit' <https://ico.org.uk/for-organisations/improve-your-practices/data-protection-self-assessment-toolkit/>



## **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/>

## Atodiad 1:

### Cyfnod Cadw Gwybodaeth

Cofnod	Cyfnod Cadw Statudol	Awdurdod Statudol
llyfrau damweiniau, cofnodion damweiniau/adroddiadau	3 blynedd o ddyddiad y cofnod diweddaraf (neu, os ydy'r ddamwain yn cynnwys plentyn/oedolyn ifanc, yna tan bod yr unigolyn yna yn cyrraedd oedran 25). (Gweler isod am ddamweiniau yn ymwneud a chemegau neu asbestos).	Deddf Adrodd am Anafiadau, Clefydau a Digwyddiadau Peryglus 1995 ( <i>RIDDOR</i> ) (OS 1995/3163) wedi'i ddiwygio, a Deddf Cyfyngiadau 1980. Mae rheolau arbennig ynglyn a digwyddiadau sy'n ymwneud a sylweddau peryglus (gweler isod).
cofnodion cyfrifyddu	3 blynedd i gwmnïau preifat, 6 blynedd i gwmnïau cyfyngedig cyhoeddus	Adran 221 o Ddeddf Cwmnïau 1985 fel yr addaswyd gan y Ddeddf Cwmnïau 1989 a 2006
treth incwm a dychweliadau YG, cofnodion treth incwm a gohebiaeth gyda CThEM	dim llai na 3 blynedd ar ol diwedd y flwyddyn ariannol maent yn perthyn i	Deddf Treth Incwm (Cyflogau) 1993 (OS 1993/744) wedi'i ddiwygio, er engraifft gan Ddeddf Treth Incwm (Cyflogau) (Diwygiad Rhif 6) 1996 (OS 1996/2631)
cofnodion meddygol a manylion profion biolegol o dan Deddf Rheoli Plwm yn y Gwaith	40 blynedd o ddyddiad y cofnod diweddaraf	Deddf Rheoli Plwm yn y Gwaith 1998 (OS 1998/543) wedi'i ddiwygio gan Ddeddf Rheoli Plwm yn y Gwaith 2002 (OS 2002/2676)

Cofnod	Cyfnod Cadw Statudol	Awdurdod Statudol
cofnodion meddygol fel y nodwyd gan Ddeddf Rheoli Sylweddau Peryglus i Iechyd (COSHH)	40 blynedd o ddyddiad y cofnod diweddaraf	Deddf Rheoli Sylweddau Peryglus i Iechyd 1999 a 2002 (COSHH) (OS 1999/437 a 2002/2677)
<p>cofnodion meddygol fel y nodwyd gan Ddeddf Rheoli Asbestos yn y Gwaith</p> <ul style="list-style-type: none"> <li>cofnodion meddygol yn cynnwys manylion gweithwyr sydd wedi bod mewn cyswllt gydag asbestos</li> <li>tystysgrifau archwiliad meddygol</li> </ul>	<ul style="list-style-type: none"> <li>40 blynedd o ddyddiad y cofnod diweddaraf</li> <li>4 blynedd o'r dyddiad cyhoeddi</li> </ul>	<p>Deddf Rheoli Asbestos yn y Gwaith 2002 (OS 2002/2675).</p> <p>Hefyd gweler Deddf Rheoli Asbestos 2006 (OS 2006/2739) a'r</p> <p>Ddeddf Rheoli Asbestos 2012 (OS 2012/632)</p>
cofnodion meddygol o dan Deddf Ymbelydredd Ioneiddio 1999	tan bod yr unigolyn yn cyrraedd 75 mlwydd oed, neu o leiaf am 50 mlynedd	Deddf Ymbelydredd Ioneiddio 1999 (OS 1999/3232)
cofnodion profion ac archwiliadau o systemau rheoli ac offer amddiffynnol o dan Deddf Rheoli Sylweddau Peryglus i Iechyd (COSHH)	5 mlynedd o'r dyddiad cafodd y profion eu cynnal	Deddf Rheoli Sylweddau Peryglus i Iechyd 1999 a 2002 (COSHH) (OS 1999/437 a 2002/2677)
cofnodion ynglyn a phlant ac oedolion ifanc	Tan bod y plentyn/oedolyn ifanc yn cyrraedd 25 mlwydd oed	Deddf Cyfyngu 1980

Cofnod	Cyfnod Cadw Statudol	Awdurdod Statudol
Cynlluniau Budd-daliadau Ymddeol – cofnodion o ddigwyddiadau hysbysadwy, er enghraifft, yn ymwneud ag analluogrwydd	6 mlynedd o ddiwedd blwyddyn y cynllun lle cynhaliwyd y digwyddiad	Rheoliadau Cynlluniau Budd-daliadau Ymddeol (Pwerau Gwybodaeth) 1995 (OS 1995/3103)
cofnodion Tâl Mamolaeth Statudol, cyfrifiadau, tystysgrifau (Mat B1) neu tystiolaeth meddygol arall	3 blynedd ar ol diwedd y flwyddyn ariannol y daw'r cyfnod mamolaeth i ben	Deddf Tâl Mamolaeth Statudol (Cyffredinol) 1986 (OS 1986/1960) fel y'i diwygiwyd
cofnodion Tâl Salwch Statudol, cyfrifiadau, tystysgrifau, hunan-dystysgrifau	3 blynedd ar ôl diwedd y flwyddyn dreth y maent yn ymwneud â hi	Deddf Tâl Salwch Statudol (Cyffredinol) 1982 (OS 1982/894) fel y'i diwygiwyd
cofnoldion tâl/cyflog (hefyd goramser, bonysau, treuliau)	6 blynedd	Deddf Rheoli Trethi 1970
cofnodion isafswm cyflog cenedlaethol	3 blynedd ar ôl diwedd y cyfnod cyfeirnod cyflog yn dilyn yr un y mae'r cofnodion yn ei gynnwys	Deddf Isafswm Cyflog Cenedlaethol 1998
cofnodion yn ymwneud ag amser gwaith	2 flynedd o'r dyddiad y cawsant eu gwneud	Rheoliadau Amser Gweithio 1998 (OS 1998/1833)

Y cyfnod a argymhellir ar gyfer cadw cofnodion (pan nad oes cyfnod statudol)

Cofnod	Cyfnod cadw a argymhellir
adroddiadau prisiad actiwaraid	yn barhaol
Ffurflen gais a nodiadau cyfweiliadau (i ymgeiswyr aflwyddiannus)	6 mis i flwyddyn. (Oherwydd y terfynau amser yn y gwahanol Deddfau anffafiaeth, dylai cofnodau cadw gofynnol ar gyfer cofnodion sy'n ymwneud a hysbysebu swyddi gwag a cheisiadau am swyddi fod o leiaf 6 mis. Efallai y bydd blwydd yn fwy doeth gan y gellir ymestyn y terfynau amser ar gyfer cyflwyno hawliadau. Bydd dogfennau ymgeiswyr llwyddiannus yn cael eu trosglwyddo i'r ffeiliau personel beth bynnag.
asesiadau o dan reoliadau iechyd a diogelwch a chofnodion o ymgynghoriadau gyda chynrychiolwyr a phwyllgorau diogelwch	yn barhaol
cymradwyaethau Cyllid y Wlad/CThEM	yn barhaol
manylion prynu arian	6 blwyddyn ar ol trosglwyddo neu werth a gymerwyd
absenoldeb riant	5 mlynedd o enedigaeth/mabwysiadu'r plentyn neu 18 mlynedd os yw'r plenty yn derbyn lwfans anabled
polisiau buddsoddi cynllun pensiwn	12 mlynedd o ddiwedd unrhyw fudd-dal sy'n daladwy o dan y polisi
cofnodion pensiywyr	12 mlynedd ar ôl i'r budd-dal ddod i ben
ffeiliau personel a chofnodion hyfforddi (gan gynnwys cofnodion disgyblu a chofnodion amser gweithio)	6 mlynedd ar ôl i'r gyflogaeth ddod i ben
manylion diswyddo, cyfrifiadau taliadau, ad-daliadau, hysbysiad i'r Ysgrifennydd Gwladol	6 mlynedd o ddyddiad y diswyddo

Cofnod	Cyfnod cadw a argymhellir
cofnodion uwch swyddogion (hynny yw, y rhai ar dim rheoli uwch neu eu cyfwerth)	Yn barhaol at ddibenion hanesyddol
cardiau amser	2 flynedd ar ôl archwiliad
cytundebau undeb llafur	10 mlynedd ar ôl peidio â bod yn effeithiol
rheolau a gweithredoedd ymddiriedolaeth	yn barhaol
llyfrau cofnodion ymddiriedolwyr	yn barhaol
cofnodion cyngor gwaith	yn barhaol
cofnodion cyfarfodydd ymddiriedolwyr (elusen anghorfforedig)	am oes yr elusen
cofnodion cyfarfodydd ymddiriedolwyr (sefydliad corfforedig elusennol)	6 blynedd (o ddyddiad y cyfarfod)

## 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 Regulations (COSHH)	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
<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>	<p>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)</p>
<p>medical records under the Ionising Radiations Regulations 1999</p>	<p>until the person reaches 75 years of age, but in any event for at least 50 years</p>	<p>The Ionising Radiations Regulations 1999 (SI 1999/3232)</p>
<p>records of tests and examinations of control systems and protective equipment under the Control of Substances Hazardous to Health Regulations (COSHH)</p>	<p>5 years from the date on which the tests were carried out</p>	<p>The Control of Substances Hazardous to Health Regulations 1999 and 2002 (COSHH) (SIs 1999/437 and 2002/2677)</p>
<p>records relating to children and young adults</p>	<p>until the child/young adult reaches the age of 25</p>	<p>Limitation Act 1980</p>
<p>Retirement Benefits Schemes – records of notifiable events, for example,</p>	<p>6 years from the end of the scheme year in which the event took place</p>	<p>The Retirement Benefits Schemes (Information Powers) Regulations 1995 (SI 1995/3103)</p>

Record	Statutory retention period	Statutory authority
relating to incapacity		
Statutory Maternity Pay records, calculations, certificates (Mat B1s) or other medical evidence	3 years after the end of the tax year in which the maternity period ends	The Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960) as amended
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
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

Record	Recommended retention period
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
trustee meetings minutes (unincorporated charity)	for the life of the charity
trustee meetings minutes (charitable incorporated organisation)	6 years (from date of meeting)