



Data Protection Policy

1. Overview

- 1.1** The Nursery takes the security and privacy of your data seriously. We need to gather and use information or 'data' about you as part of our business and to manage our relationship with you. We intend to comply with our legal obligations under the Data Protection Act 2018 (the '2018 Act') and the EU General Data Protection Regulation ('GDPR') in respect of data privacy and security. We have a duty to notify you of the information contained in this policy.
- 1.2** This policy applies to current and former employees, workers, volunteers, apprentices and consultants. If you fall into one of these categories, then you are a 'data subject' for the purposes of this policy. You should read this policy alongside your contract of employment (or contract for services) and any other notice which we issue to you from time to time in relation to your data.
- 1.3** The Nursery has measures in place to protect the security of your data.
- 1.4** The Nursery will collect and process information relating to you in accordance with the Employee Privacy Notice.
- 1.5** The Nursery will hold data for as long as necessary, for the purposes for which we collected it. Should you require further information on these timescales, please speak to the Data Protection Manager.
- 1.6** The Nursery is a 'data controller' for the purposes of your personal data. This means that we determine the purpose and means of the processing of your personal data.
- 1.7** This policy explains how the Nursery will hold and process your information. It explains your rights as a data subject. It also explains your obligations when obtaining, handling, processing or storing personal data in the course of working for, or on behalf of, the Nursery.
- 1.8** This policy does not form part of your contract of employment (or contract for services, if relevant) and can be amended by the Nursery at any time. It is intended that this policy is fully compliant with the 2018 Act and the GDPR. If any conflict arises between those laws and this policy, the Nursery intends to comply with the 2018 Act and the GDPR.

2. Data Protection Principles

- 2.1** Personal data must be processed in accordance with six '**Data Protection Principles.**' It must:



- be processed fairly, lawfully and transparently;
- be collected and processed only for specified, explicit and legitimate purposes;
- be adequate, relevant and limited to what is necessary for the purposes for which it is processed;
- be accurate and kept up to date. Any inaccurate data must be deleted or rectified without delay;
- not be kept for longer than is necessary for the purposes for which it is processed; and
- be processed securely.

2.2 We are accountable for these principles and must be able to show that we are compliant.

3. How we Define Personal Data

3.1 'Personal data' means information which relates to a living person who can be **identified** from that data (a '**data subject**') on its own, or when taken together with other information which is likely to come into our possession. It includes any expression of opinion about the person and an indication of the intentions of us or others, in respect of that person. It does not include anonymised data.

3.2 This policy applies to all personal data, whether it is stored electronically, on paper or on other materials.

3.3 This personal data might be provided to us by you, or someone else (such as a former employer, your doctor, or a credit reference agency), or it could be created by us. It could be provided or created during the recruitment process or during the course of the contract of employment (or services) or after its termination. It could be created by your manager or other colleagues.

3.4 We will collect and use the following types of personal data about you:

- recruitment information such as your application form and CV, references, qualifications and membership of any professional bodies and details of any pre-employment assessments;
- your contact details and date of birth;
- the contact details for your emergency contacts;
- your gender;
- your marital status and family details;
- information about your contract of employment (or services) including start and end dates of employment, role and location, working hours, details of promotion, salary (including details of previous remuneration), pension, benefits and holiday entitlement;
- your bank details and information in relation to your tax status, including your national insurance number;
- your identification documents, including passport and driving licence and information in relation to your immigration status and right to work for us;



- information relating to disciplinary or grievance investigations and proceedings involving you (whether or not you were the main subject of those proceedings);
- information relating to your performance and behaviour at work;
- training records;
- electronic information in relation to your use of IT systems/swipe cards/telephone systems, tracking systems on Nursery vehicles;
- your images (whether captured on CCTV, by photograph or video) which may be used for the purposes of detection of crime and internal employment procedures;
- your images (whether captured on CCTV, by photograph or video) which may be used for the purposes of detection of pilfering, malingering, deliberate damage or misconduct;
- criminal convictions or fixed-fee penalties in respect of e.g. Nursery vehicle insurance and similar; and
- any other category of personal data which we may notify you of from time to time.

4. How we Define Special Categories of Personal Data

4.1 'Special categories of personal data' are types of personal data consisting of information as to:

- your racial or ethnic origin;
- your political opinions;
- your religious or philosophical beliefs;
- your trade union membership;
- your genetic or biometric data;
- your health;
- your sex life and sexual orientation; and
- any criminal convictions and offences.

4.2 We may hold and use any of these special categories of your personal data in accordance with the law.

5. How we Define Processing

5.1 'Processing' means any operation which is performed on personal data such as:

- collection, recording, organisation, structuring or storage;
- adaption or alteration;
- retrieval, consultation or use;
- disclosure by transmission, dissemination or otherwise making available;
- alignment or combination; and



- restriction, destruction or erasure.

5.2 This includes processing personal data which forms part of a filing system and any automated processing of these special categories of your personal data in accordance with the law.

6. How we will Process your Personal Data

6.1 The Nursery will process your personal data (including special categories of personal data) in accordance with our obligations under the 2018 Act.

6.2 We will use your personal data for:

- performing the contract of employment (or services) between us;
- complying with any legal obligation; or
- if it is necessary, for our legitimate interests (or for the legitimate interests of someone else). However, we can only do this if your interests and rights do not override ours (or theirs). You have the right to challenge our legitimate interests and request that we stop this processing. See details of your rights below.

6.3 We can process your personal data for these purposes without your knowledge or consent. We will not use your personal data for an unrelated purpose without telling you about it and the legal basis that we intend to rely on for processing it.

6.4 If you choose not to provide us with certain personal data, you should be aware that we may not be able to carry out certain parts of the contract between us. For example, if you do not provide us with your bank account details then we may not be able to pay you. It might also stop us from complying with certain legal obligations and duties which we have, such as to pay the right amount of tax to HMRC or to make reasonable adjustments in relation to any disability you may suffer from.

7. Examples of when we might Process your Personal Data

7.1 We have to process your personal data in various situations during your recruitment, employment (or engagement) and even following termination of your employment (or engagement).

7.2 For example (and see below for the meaning of the ~):

- to decide whether to employ (or engage) you;
- to decide how much to pay you, and the other terms of your contract with us;
- to check you have the legal right to work for us;
- to carry out the contract between us including where relevant, its termination;
- training you and reviewing your performance~;
- to decide whether to promote you;
- to decide whether and how to manage your performance, absence or conduct~;



- to carry out a disciplinary or grievance investigation or procedure in relation to you or someone else;
- to determine whether we need to make reasonable adjustments to your workplace or role because of your disability~;
- to monitor diversity and equal opportunities~;
- to monitor and protect the security (including network security) of the Nursery, of you, our other staff, clients and others;
- to monitor and protect the health and safety of you, our other staff, clients and third parties~;
- to pay you and provide pension and other benefits in accordance with the contract between us~;
- paying tax and national insurance;
- to provide a reference upon request from another employer;
- to pay trade union subscriptions~;
- to prevent pilfering, malingering, deliberate damage or other misconduct;
- monitoring compliance by you, us and others with our policies and our contractual obligations~;
- to comply with employment law, immigration law, health and safety law, tax law and other laws which affect us~;
- to answer questions from insurers in respect of any insurance policies which relate to you~;
- running our business and planning for the future;
- the prevention and detection of fraud or other criminal offences;
- to defend the Nursery in respect of any investigation or litigation and to comply with any court or tribunal orders for disclosure~;
- to seek legal advice from our external consultants or legal advisers in connection with guidance including around employment and HR issues~; and
- for any other reason which we may notify you of from time to time.

7.3 We will only process special categories of your personal data (see above) in certain situations in accordance with the law. For example, we can do so if we have your explicit consent. If we asked for your consent to process a special category of personal data, then we would explain the reasons for our request. You do not need to consent and can withdraw consent later if you choose by contacting the Data Protection Manager.

7.4 We do not need your consent to process special categories of your personal data when we are processing it for the following purposes, which we may do:

- where it is necessary for carrying out rights and obligations under employment law;
- where it is necessary to protect your vital interests or those of another person where you/they are physically or legally incapable of giving consent;



- where you have made the data public;
- where processing is necessary for the establishment, exercise or defence of legal claims; and
- where processing is necessary for the purposes of occupational medicine or for the assessment of your working capacity.

7.5 We may process information in respect of criminal convictions relevant to the Nursery insurance e.g. Nursery vehicle insurance. We may also process criminal conviction information that is relevant to the question of your suitability for your role.

7.6 We might process special categories of your personal data for the purposes outlined above which have an asterisk beside them. In particular, we will use information in relation to:

- your race, ethnic origin, religion, sexual orientation or gender to monitor equal opportunities;
- your sickness absence, health and medical conditions to monitor your absence, assess your fitness for work, to pay you benefits, to comply with our legal obligations under employment law including to make reasonable adjustments and to look after your health and safety; and
- your trade union membership to pay any subscriptions and to comply with our legal obligations in respect of trade union members.

7.7 We do not take automated decisions about you using your personal data or use profiling in relation to you.

8. Sharing your Personal Data

8.1 Sometimes we might share your personal data with group companies or our contractors and agents in order to carry out our obligations under our contract with you or for our legitimate interests. These will include seeking advice around employment law, payroll, health and safety, pensions etc.

8.2 We require those companies to keep your personal data confidential and secure and to protect it in accordance with the law and our policies. They are only permitted to process your data for the lawful purpose for which it has been shared and in accordance with our instructions.

8.3 Legitimate Activities Which Third Parties undertake include processing your information for Payroll purposes and updating our nursery app Famly.

8.4 We do not send your personal data outside the European Economic Area. If this changes, you will be notified of this and the protections which are in place to protect the security of your data will be explained.

8.5 For the purpose of investigations in relation to Disciplinary and Grievance processes, we may share your personal data, including data in the form of CCTV images and video. We will only share this with those who strictly need to know.



9. How should you Process Personal Data for the Nursery

- 9.1** Everyone who works for, or on behalf of, the Nursery has some responsibility for ensuring data is collected, stored and handled appropriately, in line with this policy and the Nursery's Data Security and Data Retention policies.
- 9.2** The Nursery Manager is responsible for reviewing this policy and updating the Board of Directors on the Nursery's data protection responsibilities and any risks in relation to the processing of data. You should direct any questions in relation to this policy or data protection to this person.
- 9.3** You should only access personal data covered by this policy if you need it for the work you do for, or on behalf of the Nursery and only if you are authorised to do so. You should not share personal data informally.
- 9.4** You should keep personal data secure and not share it with unauthorised people.
- 9.5** You should regularly review and update personal data which you have to deal with for work. This includes telling us if your own contact details change.
- 9.6** You should not make unnecessary copies of personal data and should keep and dispose of any copies securely.
- 9.7** You should use strong passwords.
- 9.8** You should lock your computer screens when not at your desk.
- 9.9** Consider anonymising data or using separate keys/codes so that the data subject cannot be identified.
- 9.10** Do not save personal data to your own personal computers or other devices.
- 9.11** Personal data should never be transferred outside the European Economic Area except in compliance with the law and authorisation of the Data Protection Manager.
- 9.12** You should lock drawers and filing cabinets. Do not leave paper with personal data lying about.
- 9.13** You should not take personal data away from Nursery's premises without authorisation from the Data Protection Manager.
- 9.14** Personal data should be shredded and disposed of securely when you have finished with it.
- 9.15** You should ask for help from our Data Protection Manager if you are unsure about data protection or if you notice any areas of data protection or security we can improve upon.



9.16 Any deliberate or negligent breach of this policy by you may result in disciplinary action being taken against you in accordance with our disciplinary procedure.

9.17 It is a criminal offence to conceal or destroy personal data which is part of a subject access request (see below). This conduct would also amount to gross misconduct under our disciplinary procedure, which could result in your dismissal.

10. How to deal with Data Breaches

10.1 We have robust measures in place to minimise and prevent data breaches from taking place. Should a breach of personal data occur (whether in respect of you or someone else) then we must take notes and keep evidence of that breach. If the breach is likely to result in a risk to the rights and freedoms of individuals, then we must also notify the Information Commissioner's Office within 72 hours.

10.2 If you are aware of a data breach you must contact the Data Protection Manager immediately and keep any evidence which you have in relation to the breach.

11. Subject Access Requests

11.1 Data subjects can make a '**subject access request**' ('SAR') to find out the information we hold about them. This request must be made in writing. If you receive such a request, you should forward it immediately to the Data Protection Manager who will coordinate a response.

11.2 If you would like to make a SAR in relation to your own personal data, you should make this in writing to the Data Protection Manager. We must respond within one month unless the request is complex or numerous in which case the period in which we must respond can be extended by a further two months.

11.3 There is no fee for making a SAR. However, if your request is manifestly unfounded or excessive, we may charge a reasonable administrative fee or refuse to respond to your request.

12. Your Data Subject Rights

12.1 You have the right to information about what personal data we process, how and on what basis as set out in this policy.

12.2 You have the right to access your own personal data by way of a subject access request (see above).

12.3 You can correct any inaccuracies in your personal data. To do this you should contact the Data Protection Manager.



- 12.4** You have the right to request that we erase your personal data where we were not entitled under the law to process it or it is no longer necessary to process it for the purpose it was collected. To do so you should contact the Data Protection Manager.
- 12.5** While you are requesting that your personal data is corrected or erased or are contesting the lawfulness of our processing, you can apply for its use to be restricted while the application is made. To do so, you should contact the Data Protection Manager.
- 12.6** You have the right to object to data processing where we are relying on a legitimate interest to do so and you think that your rights and interests outweigh our own and you wish us to stop.
- 12.7** You have the right to object if we process your personal data for the purposes of direct marketing.
- 12.8** You have the right to receive a copy of your personal data and to transfer your personal data to another data controller. We will not charge for this and will in most cases aim to do this within one month.
- 12.9** With some exceptions, you have the right not to be subjected to automated decision-making.
- 12.10** You have the right to be notified of a data security breach concerning your personal data.
- 12.11** In most situations, we will not rely on your consent as a lawful ground to process your data. If we do, however, request your consent to the processing of your personal data for a specific purpose, you have the right not to consent or to withdraw your consent later. To withdraw your consent, you should contact the Data Protection Manager.
- 12.12** You have the right to complain to the Information Commissioner. You can do this by contacting the Information Commissioner's Office directly. Full contact details including a helpline number can be found on the Information Commissioner's Office website (www.ico.org.uk). This website has further information on your rights and our obligations.



Employee Privacy Notice

Data controller: Nursery

- (a) The Nursery collects and processes personal data relating its employees to manage the employment relationship. The Nursery is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

What information does the Nursery collect?

- (b) The Nursery collects and processes a range of information about you. This includes:-
- your name, address and contact details, including email address and telephone number, date of birth and gender;
 - the terms and conditions of your employment;
 - details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the Nursery;
 - information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
 - details of your bank account and national insurance number;
 - information about your marital status, next of kin, dependants and emergency contacts;
 - information about your nationality and entitlement to work in the UK;
 - information about your criminal record;
 - details of your schedule (days of work and working hours) and attendance at work;
 - details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave;
 - details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
 - assessments of your performance, including appraisals, performance reviews and ratings, training you have participated in, performance improvement plans and related correspondence;
 - information about medical or health conditions, including whether or not you have a disability for which the Nursery needs to make reasonable adjustments;
 - details of trade union membership; and
 - equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.
- (c) The Nursery collects this information in a variety of ways. For example, data is collected through application forms, CVs or resumes; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during employment (such as benefit nomination forms); from correspondence with you; or through interviews, meetings or other assessments.

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- (d) In some cases, the Nursery collects personal data about you from third parties, such as references supplied by former employers [information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law].
- (e) Data is stored in a range of different places, including in your personnel file, in the Nursery's HR management systems and in other IT systems (including the Nursery's email system).

Why does the Nursery process personal data?

- (f) The Nursery needs to process data to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an [employment contract](#), to [pay you in accordance with your employment contract](#) and to administer pension entitlements.
- (g) In some cases, the Nursery needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled. It is necessary to carry out enhanced criminal records checks on all staff to ensure that individuals are permitted to undertake their role.
- (h) In other cases, the Nursery has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows the Nursery to:
- run recruitment and promotion processes;
 - maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
 - operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
 - operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
 - operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
 - obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled;
 - operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the Nursery complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
 - ensure effective general HR and business administration;
 - provide references on request for current or former employees;
 - take advice from external consultants and legal advisers in connection with HR issues;
 - respond to and defend against legal claims; and



- maintain and promote equality in the workplace.

- (i) Where the Nursery relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.
- (j) Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to employees with disabilities and for health and safety purposes). Information about trade union membership is processed to allow the Nursery to operate check-off for union subscriptions.
- (k) Where the Nursery processes other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring.

Who has access to data?

- (l) Your information will be shared internally..
- (m) The Nursery shares your data with third parties in order to obtain pre-employment references from other employers, obtain employment background checks from third-party providers and obtain necessary criminal records checks from the Disclosure and Barring Service. The Nursery may also share your data with third parties in the context of a sale of some or all of its business. In those circumstances the data will be subject to confidentiality arrangements.
- (n) The Nursery also shares your data with third parties that process data on its behalf in connection with payroll, our nursery app Famly, taking legal advice and other types of advice from external consultants e.g. pension advisers and employment lawyers.
- (o) The Nursery will not transfer your data to countries outside the European Economic Area.

How does the Nursery protect data?

- (p) The Nursery takes the security of your data seriously. The Nursery has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties.
- (q) Where the Nursery engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

For how long does the Nursery keep data?

- (r) The Nursery will hold your personal data for the duration of your employment. The periods for which your data is held after the end of employment depends on the type of information. This can be found in our Data Retention Policy.

Your rights

- (s) As a data subject, you have a number of rights. You can:
 - access and obtain a copy of your data on request;
 - require the Nursery to change incorrect or incomplete data;



- require the Nursery to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where the Nursery is relying on its legitimate interests as the legal ground for processing; and
- ask the Nursery to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the Nursery's legitimate grounds for processing data.

- (t) If you would like to exercise any of these rights, please contact Natasha Baker, post@wibliwobli.co.uk.
- (u) If you believe that the Nursery has not complied with your data protection rights, you can complain to the Information Commissioner.

What if you do not provide personal data?

- (v) You have some obligations under your employment contract to provide the Nursery with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide the Nursery with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.
- (w) Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the Nursery to enter a contract of employment with you. If you do not provide other information, this will hinder the Nursery's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

Automated decision-making

- (x) Employment decisions are not based solely on automated decision-making.

This policy was adopted on	Signed on behalf of the nursery	Date for review
16/10/2023	 2382DFF173BB462...	Oct 2024



Polisi Diogelu Dataa

1. Gorolwg

- 1.1** Mae'r Feithrinfa yn cymryd diogelwch a phreifatrwydd eich data o ddifrif. Mae angen i ni gasglu a defnyddio gwybodaeth neu 'ddata' amdanoch chi fel rhan o'n busnes ac i reoli ein perthynas â chi. Rydym yn bwriadu cydymffurfio â'n rhwymedigaethau cyfreithiol o dan Ddeddf Diogelu Data 2018 ('Deddf 2018') a Rheoliad Diogelu Data Cyffredinol yr UE ('GDPR') o ran preifatrwydd a diogelwch data. Mae gennym ddyletswydd i roi gwybod i chi am y wybodaeth sydd yn y polisi hwn.
- 1.2** Mae'r polisi hwn yn berthnasol i gyflogeion presennol a blaenorol, gweithwyr, gwirfoddolwyr, prentisiaid ac ymgynghorwyr. Os ydych yn perthyn i un o'r categorïau hyn, yna rydych yn 'wrthrych data' at ddibenion y polisi hwn. Dylech ddarllen y polisi hwn ochr yn ochr â'ch contract cyflogaeth (neu gontract am wasanaethau) ac unrhyw hysbysiad arall y byddwn yn ei roi i chi o bryd i'w gilydd mewn perthynas â'ch data.
- 1.3** Mae gan y Feithrinfa fesurau ar waith i ddiogelu eich data.
- 1.4** Bydd y Feithrinfa yn casglu ac yn prosesu gwybodaeth sy'n ymwneud â chi yn unol â Hysbysiad Preifatrwydd Gweithiwr.
- 1.5** Bydd y Feithrinfa yn cadw data am gyhyd ag y bo angen, at y dibenion y casglwyd ef. Os bydd angen rhagor o wybodaeth arnoch am yr amserlenni hyn, siaradwch â'r Rheolwr Diogelu Data.
- 1.6** Mae'r Feithrinfa yn 'rheolwr data' at ddibenion eich data personol. Mae hyn yn golygu ein bod yn pennu pwrpas a dulliau prosesu eich data personol.
- 1.7** Mae'r polisi hwn yn egluro sut y bydd y Feithrinfa yn cadw ac yn prosesu eich gwybodaeth. Mae'n esbonio eich hawliau fel gwrthrych data. Mae hefyd yn egluro eich rhwymedigaethau wrth gael, trin, prosesu neu storio data personol wrth weithio i, neu ar ran, y Feithrinfa.
- 1.8** Nid yw'r polisi hwn yn rhan o'ch cytundeb cyflogaeth (neu gontract am wasanaethau, os yn berthnasol) a gall y Feithrinfa ei ddiwygio ar unrhyw adeg. Bwriedir i'r polisi hwn gydymffurfio'n llawn â Deddf 2018 a'r GDPR. Os bydd unrhyw wrthdaro rhwng y cyfreithiau hynny a'r polisi hwn, mae'r Feithrinfa yn bwriadu cydymffurfio â Deddf 2018 a'r GDPR.

2. Egwyddorion Diogelu Data

- 2.1** Rhiad prosesu data personal yn unol â chwe '**Egwyddor Diogelu Data.**' Rhaid iddo:



- cael eu prosesu'n deg, yn gyfreithlon ac yn dryloyw;
cael eu casglu a'u prosesu at ddibenion penodol, penodol a chyfreithlon yn unig;
- bod yn ddigonol, yn berthnasol ac yn gyfyngedig i'r hyn sy'n angenrheidiol at y dibenion y caiff ei brosesu ar eu cyfer;
- bod yn gywir a chael y wybodaeth ddiweddaraf. Rhaid dileu neu unioni unrhyw ddata anghywir yn ddi-oed;
- peidio â chael ei gadw am gyfnod hwy nag sy'n angenrheidiol at y dibenion y'i prosesir ar eu cyfer; a
- cael eu prosesu'n ddiogel.

2.2 Rydym yn atebol am ur egwyddorion hyn a rhaid inni allu dangos ein bod yn cydymffurfio.

3. Sut Rydym yn Diffinio Data Personol

3.1 Mae '**data personol**' yn golygu gwybodaeth sy'n ymwneud â pherson byw y gellir ei adnabod o'r data hwnnw ('testun data') ar ei ben ei hun, neu o'i gymryd ynghyd â gwybodaeth arall sy'n debygol o ddod i'n meddiant. Mae'n cynnwys unrhyw fynegiant barn am y person ac arwydd o'n bwriadau ni neu eraill, mewn perthynas â'r person hwnnw. Nid yw'n cynnwys data dienw.

3.2 Mae'r polisi hwn yn berthnasol i'r holl ddata personol, boed yn cael ei storio'n electronig, ar bapur neu ar ddeunyddiau eraill.

3.3 Efallai y bydd y data personol hwn yn cael ei ddarparu i ni gennych chi, neu rywun arall (fel cyn gyflogwr, eich meddyg, neu asiantaeth gwirio credyd), neu gallai gael ei greu gennym ni. Gellid ei ddarparu neu ei greu yn ystod y broses recriwtio neu yn ystod y contract cyflogaeth (neu wasanaethau) neu ar ôl iddo ddod i ben. Gallai gael ei greu gan eich rheolwr neu gydweithwyr eraill.

3.4 Byddwn yn casglu ac yn defnyddio'r mathau canlynol o ddata personol amdanoch:

- gwybodaeth recriwtio fel eich ffurflen gais a CV, geirdaon, cymwysterau ac aelodaeth o unrhyw gyrff proffesiynol a manylion unrhyw asesiadau cyn cyflogaeth;
- eich manylion cyswllt a'ch dyddiad geni;
- y manylion cyswllt ar gyfer eich cysylltiadau brys;
- eich rhyw;
- eich statws priodasol a'ch manylion teuluol;
- gwybodaeth am eich contract cyflogaeth (neu wasanaethau) gan gynnwys dyddiadau dechrau a diwedd cyflogaeth, rôl a lleoliad, oriau gwaith, manylion dyrchafiad, cyflog (gan gynnwys manylion tâl blaenorol), pensiwn, buddion a hawl i wyliau;
- eich manylion banc a gwybodaeth mewn perthynas â'ch statws treth, gan gynnwys eich rhif yswiriant gwladol;
- eich dogfennau adnabod, gan gynnwys pasbort a thrwydded yrru a gwybodaeth mewn perthynas â'ch statws mewnfudo a'ch hawl i weithio i ni;

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- gwybodaeth yn ymwneud ag ymchwiliadau disgyblu neu gwynion ac achosion sy'n ymwneud â chi (p'un ai chi oedd prif destun yr achosion hynny ai peidio);
- gwybodaeth yn ymwneud â'ch perfformiad a'ch ymddygiad yn y gwaith;
- cofnodion hyfforddi;
- gwybodaeth electronig mewn perthynas â'ch defnydd o systemau TG/cardiau llithro/systemau ffôn, systemau olrhain ar gerbydau'r Feithrinfa;
- eich delweddau (boed wedi eu dal ar deledu cylch cyfyng, trwy ffotograff neu fideo) y gellir eu defnyddio at ddibenion datgelu trosedd a gweithdrefnau cyflogaeth mewnol;
- eich delweddau (p'un a ydynt wedi'u dal ar deledu cylch cyfyng, drwy ffotograff neu fideo) y gellir eu defnyddio at ddibenion canfod pilferu, drwgwedd, difrod bwriadol neu gamymddwyn;
- euogfarnau troseddol neu gosbau ffi sefydlog mewn perthynas ag e.e. Yswiriant cerbyd meithrin a thebyg; a
- unrhyw gategori arall o ddata personol y gallwn roi gwybod i chi amdano o bryd i'w gilydd.

4. Sut rydym yn Diffinio Categoriâu Arbennig o Ddata Personol

4.1 Mae 'categoriâu arbennig o ddata personol' yn fathau o ddata personol sy'n cynnwys gwybodaeth am y canlynol::

- eich tarddiad hiliol neu ethnig;
- eich barn wleidyddol;
- eich credoau crefyddol neu athronyddol;
- eich aelodaeth o undeb llafur;
- eich data genetig neu fiometrigrig;
- eich iechyd;
- eich bywyd rhywiol a'ch cyfeiriadedd rhywiol; a
- unrhyw euogfarnau a throseddau.

4.2 Gallwn gadw a defnyddio unrhyw un o'r categoriâu arbennig hyn o'ch data personol yn unol â'r gyfraith.

5. Sur Rydym yn Diffinio Prosesu

5.1 Mae 'prosesu' yn golygu unrhyw weithrediad a gyflawnir ar ddata personol megis:

- casglu, cofnodi, trefnu, strwythuro neu storio;
- addasu neu addasu;
- adalw, ymgynghori neu ddefnyddio;



- datgelu trwy drosglwyddo, lledaenu neu wneud ar gael fel arall;
- aliniad neu gyfuniad; a
- yfyngu, dinistrio neu ddileu.

5.2 Mae hyn yn cynnwys prosesu data personol sy'n rhan o system ffeilio ac unrhyw brosesu awtomataidd o'r categorïau arbennig hyn o'ch data personol yn unol â'r gyfraith.

6. Sut y Byddwn yn Prosesu eich Data Personol

6.1 Bydd y Feithrinfa yn prosesu eich data personol (gan gynnwys categorïau arbennig o ddata personol) yn unol â'n rhwymedigaethau o dan Ddeddf 2018.

6.2 Byddwn yn defnyddio eich data personol ar gyfer:

- cyflawni'r contract cyflogaeth (neu wasanaethau) rhyngom;
- cydymffurfio ag unrhyw rwymedigaeth gyfreithiol; neu
- os oes angen, er ein buddiannau cyfreithlon (neu er budd cyfreithlon rhywun arall). Fodd bynnag, dim ond os nad yw eich buddiannau a'ch hawliau chi yn drech na'n rhai ni (neu eu rhai nhw) y gallwn ni wneud hyn. Mae gennych yr hawl i herio ein buddiannau cyfreithlon a gofyn i ni atal y prosesu hwn. Gweler manylion eich hawliau isod.

6.3 Gallwn brosesu eich data personol at y dibenion hyn heb yn wybod i chi neu heb eich caniatâd. Ni fyddwn yn defnyddio'ch data personol at ddiben nad yw'n gysylltiedig heb ddweud wrthyhych amdano a'r sail gyfreithiol y bwriadwn ddibynnu arni ar gyfer ei brosesu.

6.4 Os byddwch yn dewis peidio â darparu data personol penodol i ni, dylech fod yn ymwybodol efallai na fyddwn yn gallu cyflawni rhai rhannau o'r contract rhyngom. Er enghraifft, os na fyddwch yn rhoi manylion eich cyfrif banc i ni efallai na fyddwn yn gallu eich talu. Gallai hefyd ein hatal rhag cydymffurfio â rhwymedigaethau a dyletswyddau cyfreithiol penodol sydd gennym, megis talu'r swm cywir o dreth i CThEM neu wneud addasiadau rhesymol mewn perthynas ag unrhyw anabledd y gallech fod yn dioddef ohono.

7. Enghreifftiau o Bryd y Gallem Brosesu eich Data Personol

7.1 Mae'n rhaid i ni brosesu eich data personol mewn sefyllfaoedd amrywiol yn ystod eich recriwtio, cyflogaeth (neu ymgysylltu) a hyd yn oed ar ôl terfynu eich cyflogaeth (neu ymgysylltiad).

7.2 Er enghraifft (a gweler isod am ystyr y ~):

- penderfynu a ddylid eich cyflogi (neu eich cyflogi);
- penderfynu faint i'w dalu i chi, a thelerau eraill eich contract gyda ni;
- i wirio bod gennych yr hawl gyfreithiol i weithio i ni;
- cyflawni'r contract rhyngom gan gynnwys, lle bo'n berthnasol, ei derfynu;



- eich hyfforddi ac adolygu eich perfformiad~;
- penderfynu a ddylid eich dyrchafu;
- penderfynu a ddylid rheoli eich perfformiad, eich absenoldeb neu eich ymddygiad a sut;
- cynnal ymchwiliad neu weithdrefn ddisgyblu neu gwyno mewn perthynas â chi neu rywun arall;
- penderfynu a oes angen i ni wneud addasiadau rhesymol i'ch gweithle neu rôl oherwydd eich anabledd~;
- monitro amrywiaeth a chyfle cyfartal;
- monitro a diogelu diogelwch (gan gynnwys diogelwch rhwydwaith) y Feithrinfa, ohonoch chi, ein staff eraill, cleientiaid ac eraill;
- i fonitro a diogelu eich iechyd a diogelwch chi, ein staff eraill, cleientiaid a thrydydd parti~;
- eich talu a darparu pensiwn a buddion eraill yn unol â'r contract rhyngom;
- talu treth ac yswiriant gwladol;
- darparu geirda ar gais gan gyflogwr arall;
- talu tanysgrifiadau undeb llafur~;
- i atal pilferu, drwgwedd, difrod bwriadol neu gamymddwyn arall;
- monitro cydymffurfiaeth gennych chi, ni ac eraill â'n polisïau a'n rhwymedigaethau cytundebol ~;
- cydymffurfio â chyfraith cyflogaeth, cyfraith mewnfudo, cyfraith iechyd a diogelwch, cyfraith treth a chyfreithiau eraill sy'n effeithio arnom ni~;
- ateb cwestiynau gan yswirwyr mewn perthynas ag unrhyw bolisïau yswiriant sy'n ymwneud â chi ~;
- rhedeg ein busnes a chynllunio ar gyfer y dyfodol;
- atal a chanfod twyll neu droseddau eraill;
- amddiffyn y Feithrinfa mewn perthynas ag unrhyw ymchwiliad neu ymgyfreitha a chydymffurfio ag unrhyw orchmynion llys neu dribiwnlys ar gyfer datgelu~;
- ceisio cyngor cyfreithiol gan ein hymgynghorwyr allanol neu gynghorwyr cyfreithiol mewn cysylltiad â chanllawiau gan gynnwys materion cyflogaeth ac AD~; a
- am unrhyw reswm arall y gallwn roi gwybod i chi amdano o bryd i'w gilydd.

7.3 Dim ond mewn rhai sefyllfaoedd yn unol â'r gyfraith y byddwn yn prosesu categorïau arbennig o'ch data personol (gweler uchod). Er enghraifft, gallwn wneud hynny os oes gennym eich caniatâd penodol. Pe byddem yn gofyn am eich caniatâd i brosesu categori arbennig o ddata personol, yna byddem yn esbonio'r rhesymau dros ein cais. Nid oes angen i chi roi caniatâd a gallwch dynnu caniatâd yn ôl yn ddiweddarach os byddwch yn dewis drwy gysylltu â'r Rheolwr Diogelu Data.

7.4 Nid oes angen eich caniatâd arnom i brosesu categorïau arbennig o'ch data personol pan fyddwn yn ei brosesu at y dibenion canlynol, a gallwn wneud hynny:



- Lle mae'n angenrheidiol ar gyfer cyflawni hawliau a rhwymedigaethau o dan gyfraith cyflogaeth;
- Lle mae angen gwarchod eich buddiannau hanfodol chi neu rai person arall lle rydych chi/nhw yn analluog yn gorfforol neu'n gyfreithiol i roi caniatâd;
- Lle rydych wedi gwneud y data yn gyhoeddus;
- Lle mae angen prosesu ar gyfer sefydlu, gweithredu neu amddiffyn hawliadau cyfreithiol; a
- Lle mae angen prosesu at ddibenion meddygaeth alwedigaethol neu ar gyfer asesu eich gallu i weithio.

7.5 Efallai y byddwn yn prosesu gwybodaeth mewn perthynas ag euogfarnau troseddol sy'n berthnasol i yswiriant y Feithrinfa e.e. Yswiriant cerbyd meithrin. Gallwn hefyd brosesu gwybodaeth euogfarnau troseddol sy'n berthnasol i'r cwestiwn o'ch addaswydd ar gyfer eich rôl.

7.6 Mae'n bosibl y byddwn yn prosesu categorïau arbennig o'ch data personol at y dibenion a amlinellir uchod sydd â seren wrth eu hymyl. Yn benodol, byddwn yn defnyddio gwybodaeth mewn perthynas â:

- eich hil, tarddiad ethnig, crefydd, cyfeiriadedd rhywiol neu ryw i fonitro cyfle cyfartal;
- eich absenoldeb salwch, iechyd a chyflyrau meddygol i fonitro eich absenoldeb, asesu eich ffitrwydd i weithio, talu buddion i chi, cydymffurfio â'n rhwymedigaethau cyfreithiol dan gyfraith cyflogaeth gan gynnwys gwneud addasiadau rhesymol a gofalu am eich iechyd a diogelwch; a
- eich aelodaeth undeb llafur i dalu unrhyw danysgrifiadau ac i gydymffurfio â'n rhwymedigaethau cyfreithiol mewn perthynas ag aelodau undeb llafur.

7.7 Nid ydym yn gwneud penderfyniadau awtomataidd amdanoch chi'n defnyddio'ch data personol nac yn defnyddio proffilio mewn perthynas â chi.

8. Rhannu eich Data Personol

8.1 Weithiau efallai y byddwn yn rhannu eich data personol gyda chwmnïau grŵp neu ein contractwyr ac asiantau er mwyn cyflawni ein rhwymedigaethau o dan ein contract gyda chi neu ar gyfer ein buddiannau cyfreithlon. Bydd y rhain yn cynnwys ceisio cyngor ar gyfraith cyflogaeth, y gyflogres, iechyd a diogelwch, pensiynau ac ati.

8.2 Rydym yn ei gwneud yn ofynnol i'r cwmnïau hynny gadw eich data personol yn gyfrinachol ac yn ddiogel a'i ddiogelu yn unol â'r gyfraith a'n polisiau. Dim ond at y diben cyfreithlon y mae wedi'i rannu ar ei gyfer y cânt brosesu eich data ac yn unol â'n cyfarwyddiadau.

8.3 Gweithgareddau Cyfreithlon y mae Trydydd Partïon yn eu gwneud yn cynnwys prosesu eich gwybodaeth at ddibenion y Gyflogres a diweddarau ein ap meithrinfa, Famly.

8.4 Nid ydym yn anfon eich data personol y tu allan i'r Ardal Economaidd Ewropeaidd. Os bydd hyn yn newid, byddwch yn cael gwybod am hyn a bydd y mesurau diogelu sydd ar waith i ddiogelu diogelwch eich data yn cael eu hesbonio.



8.5 At ddibenion ymchwiliadau mewn perthynas â phrosesau Disgyblu a Chwyno, efallai y byddwn yn rhannu eich data personol, gan gynnwys data ar ffurf delweddau teledu cylch cyfyng a fideo. Dim ond gyda'r rhai sydd angen gwybod y byddwn ni'n rhannu hwn.

9. Sut y Dylech Brosesu Data Personol ar gyfer y Feithrinfa

9.1 Mae gan bawb sy'n gweithio i, neu ar ran, y Feithrinfa rywfaint o gyfrifoldeb am sicrhau bod data'n cael ei gasglu, ei storio a'i drin yn briodol, yn unol â'r polisi hwn a pholisïau Diogelu Data a Chadw Data'r Feithrinfa.

9.2 Mae Rheolwr y Feithrinfa yn gyfrifol am adolygu'r polisi hwn a diweddarau'r Bwrdd Cyfarwyddwyr ar gyfrifoldebau diogelu data'r Feithrinfa ac unrhyw risgiau sy'n ymwneud â phrosesu data. Dylech gyfeirio unrhyw gwestiynau mewn perthynas â'r polisi hwn neu ddiogelu data at y person hwn.

9.3 Dim ond os oes ei angen arnoch ar gyfer y gwaith yr ydych yn ei wneud ar gyfer, neu ar ran y Feithrinfa y dylech gael mynediad at ddata personol a gwmpesir gan y polisi hwn, a dim ond os oes gennych awdurdod i wneud hynny. Ni ddylech rannu data personol yn anffurfiol.

9.4 Dylech gadw data personol yn ddiogel a pheidio â'i rannu â phobl anawdurdodedig.

9.5 Dylech adolygu a diweddarau data personol yn rheolaidd y mae'n rhaid i chi ymdrin ag ef ar gyfer gwaith. Mae hyn yn cynnwys dweud wrthym os bydd eich manylion cyswllt eich hun yn newid.

9.6 Ni ddylech wneud copiâu diangen o ddata personol a dylech gadw a gwaredu unrhyw gopiâu yn ddiogel.

9.7 Dylech ddefnyddio cyfrineiriau cryf.

9.8 Dylech gloi sgriniau eich cyfrifiadur pan nad ydych wrth eich desg.

9.9 Ystyried gwneud data'n ddiennw neu ddefnyddio allweddi/codau ar wahân fel na ellir adnabod gwrthrych y data.

9.10 Peidiwch â chadw data personol ar eich cyfrifiaduron personol neu ddyfeisiau eraill.

9.11 Ni ddylid byth drosglwyddo data personol y tu allan i'r Ardal Economaidd Ewropeaidd ac eithrio yn unol â'r gyfraith ac awdurdodiad y Rheolwr Diogelu Data.

9.12 Dylech gloi droriau a chypyrddau ffeilio. Peidiwch â gadael papur gyda data personol yn gorwedd o gwmpas.

9.13 Ni ddylech fynd â data personol i ffwrdd o safle'r Feithrinfa heb awdurdodiad gan y Rheolwr Diogelu Data.



- 9.14** Dylid rhwygo data personol a chael gwared arno'n ddiogel pan fyddwch wedi gorffen ag ef.
- 9.15** Dylech ofyn am help gan ein Rheolwr Diogelu Data os ydych yn ansicr ynghylch diogelu data neu os sylwch ar unrhyw feysydd diogelu data neu ddiogelwch y gallwn eu gwella.
- 9.16** Gall unrhyw achos o dorri'r polisi hwn yn fwriadol neu'n esgeulus gennych chi arwain at gymryd camau disgyblu yn eich erbyn yn unol â'n gweithdrefn ddisgyblu.
- 9.17** Mae'n drosedd cuddio neu ddinistrio data personol sy'n rhan o gais gwrthrych am wybodaeth (gweler isod). Byddai'r ymddygiad hwn hefyd yn gyfystyr â chamymddwyn difrifol o dan ein gweithdrefn ddisgyblu, a allai arwain at eich diswyddo.

10. Sut i Ddelio â Thoriadau Data

- 10.1** Mae gennym fesurau cadarn ar waith i leihau ac atal achosion o dorri rheolau data. Pe bai data personol yn cael ei dorri (boed yn ymwneud â chi neu rywun arall) yna mae'n rhaid i ni gymryd nodiadau a chadw tystiolaeth o'r toriad hwnnw. Os yw'r toriad yn debygol o arwain at risg i hawliau a rhyddid unigolion, yna rhaid i ni hefyd hysbysu Swyddfa'r Comisiynydd Gwybodaeth o fewn 72 awr.
- 10.2** Os ydych yn ymwybodol o doriad data rhaid i chi gysylltu â'r Rheolwr Diogelu Data ar unwaith a chadw unrhyw dystiolaeth sydd gennych mewn perthynas â'r toriad.

11. Ceisiadau Gwrthrych am Wybodaeth

- 11.1** Gall testunau data wneud '**cais gwrthrych am wybodaeth**' ('SAR') i ddod o hyd i'r wybodaeth sydd gennym amdanynt. Rhaid gwneud y cais hwn yn ysgrifenedig. Os byddwch yn derbyn cais o'r fath, dylech ei anfon ymlaen ar unwaith at y Rheolwr Diogelu Data a fydd yn cydlynu ymateb.
- 11.2** Os hoffech wneud SAR mewn perthynas â'ch data personol eich hun, dylech wneud hyn yn ysgrifenedig i'r Rheolwr Diogelu Data. Rhaid i ni ymateb o fewn mis oni bai bod y cais yn gymhleth neu'n niferus ac os felly gellir ymestyn y cyfnod y mae'n rhaid i ni ymateb ynddo am ddau fis arall.
- 11.3** Nid oes ffi am wneud SAR. Fodd bynnag, os yw eich cais yn amlwg yn ddi-sail neu'n ormodol, efallai y byddwn yn codi ffi weinyddol resymol neu'n gwrthod ymateb i'ch cais.

12. Eich Hawliau Gwrthrych Data

- 12.1** Mae gennych hawl i wybodaeth am ba ddata personol rydym yn ei brosesu, sut ac ar ba sail fel y nodir yn y polisi hwn.
- 12.2** Mae gennych hawl i gael mynediad at eich data personol eich hun drwy gais gwrthrych am wybodaeth (gweler uchod).



- 12.3** Gallwch gywiro unrhyw wallau yn eich data personol. I wneud hyn dylech gysylltu â'r Rheolwr Diogelu Data.
- 12.4** Mae gennych hawl i ofyn i ni ddileu eich data personol lle nad oedd gennym hawl dan y gyfraith i'w brosesu neu lle nad oes angen ei brosesu mwyach at y diben y'i casglwyd. I wneud hynny dylech gysylltu â'r Rheolwr Diogelu Data.
- 12.5** Tra'ch bod yn gofyn i'ch data personol gael ei gywiro neu ei ddileu neu'n herio cyfreithlondeb ein prosesu, gallwch wneud cais i gyfyngu ar ei ddefnydd tra gwneir y cais. I wneud hynny, dylech gysylltu â'r Rheolwr Diogelu Data.
- 12.6** Mae gennych yr hawl i wrthwynebu prosesu data lle rydym yn dibynnu ar fuddiant cyfreithlon i wneud hynny a'ch bod yn meddwl bod eich hawliau a'ch buddiannau yn drech na'n hawliau ni a'ch bod yn dymuno i ni roi'r gorau iddi.
- 12.7** Mae gennych hawl i wrthwynebu os byddwn yn prosesu eich data personol at ddibenion marchnata uniongyrchol.
- 12.8** Mae gennych hawl i dderbyn copi o'ch data personol ac i drosglwyddo eich data personol i reolwr data arall. Ni fyddwn yn codi tâl am hyn ac yn y rhan fwyaf o achosion byddwn yn ceisio gwneud hyn o fewn mis.
- 12.9** Gyda rhai eithriadau, mae gennych yr hawl i beidio â chael eich gorfodi i wneud penderfyniadau awtomataidd.
- 12.10** Mae gennych hawl i gael eich hysbysu am dor diogelwch data sy'n ymwneud â'ch data personol.
- 12.11** Yn y rhan fwyaf o sefyllfaoedd, ni fyddwn yn dibynnu ar eich caniatâd fel sail gyfreithlon i brosesu eich data. Fodd bynnag, os byddwn yn gofyn am eich caniatâd i brosesu eich data personol at ddiben penodol, mae gennych yr hawl i beidio â rhoi caniatâd neu i dynnu eich caniatâd yn ôl yn ddiweddarach. I dynnu eich caniatâd yn ôl, dylech gysylltu â'r Rheolwr Diogelu Data.
- 12.12** Mae gennych hawl i gwyno i'r Comisiynydd Gwybodaeth. Gallwch wneud hyn drwy gysylltu â Swyddfa'r Comisiynydd Gwybodaeth yn uniongyrchol. Mae manylion cyswllt llawn gan gynnwys rhif llinell gymorth ar gael ar wefan Swyddfa'r Comisiynydd Gwybodaeth (www.ico.org.uk). Mae gan y wefan hon ragor o wybodaeth am eich hawliau a'n rhwymedigaethau.



Hysbysiad Preifatrwydd Gweithiwr

Rheolydd Data: Meithrinfa

- (a) Mae'r Feithrinfa yn casglu ac yn prosesu data personol yn ymwneud â'i gweithwyr er mwyn rheoli'r berthynas gyflogaeth. Mae'r Feithrinfa wedi ymrwymo i fod yn dryloyw ynghylch sut mae'n casglu ac yn defnyddio'r data hwnnw ac i fodloni ei rhwymedigaethau diogelu data.

Pa wybodaeth mae'r Feithrinfa yn ei chasglu?

- (b) Mae'r Feithrinfa yn casglu ac yn prosesu ystod o wybodaeth amdanoch chi. Mae hyn yn cynnwys:-
- eich enw, cyfeiriad a manylion cyswllt, gan gynnwys cyfeiriad e-bost a rhif ffôn, dyddiad geni a rhyw;
 - telerau ac amodau eich cyflogaeth;
 - manylion eich cymwysterau, sgiliau, profiad a hanes cyflogaeth, gan gynnwys dyddiadau dechrau a gorffen, gyda chyflogwyr blaenorol a chyda'r Feithrinfa;
 - gwybodaeth am eich tâl, gan gynnwys hawl i fuddion megis pensiynau neu yswiriant;
 - manylion eich cyfrif banc a rhif yswiriant gwladol;
 - gwybodaeth am eich statws priodasol, perthynas agosaf, dibynnyddion a chysylltiadau brys;
 - gwybodaeth am eich cenedligrwydd a'ch hawl i weithio yn y DU;
 - gwybodaeth am eich cofnod troseddol;
 - manylion eich amserlen (diwrnodau gwaith ac oriau gwaith) a phresenoldeb yn y gwaith;
 - manylion y cyfnodau o absenoldeb a gymerwyd gennych, gan gynnwys gwyliau, absenoldeb salwch, absenoldeb teuluol a chyfnodau sabothol, a'r rhesymau dros yr absenoldeb;
 - manylion unrhyw weithdrefnau disgyblu neu gwyno yr ydych wedi bod yn rhan ohonynt, gan gynnwys unrhyw rybuddion a roddwyd i chi a gohebiaeth gysylltiedig;
 - asesiadau o'ch perfformiad, gan gynnwys gwerthusiadau, adolygiadau perfformiad a graddfeydd, hyfforddiant yr ydych wedi cymryd rhan ynddo, cynlluniau gwella perfformiad a gohebiaeth gysylltiedig;
 - gwybodaeth am gyflyrau meddygol neu iechyd, gan gynnwys a oes gennych anabledd ai peidio y mae angen i'r Feithrinfa wneud addasiadau rhesymol ar ei gyfer;
 - manylion aelodaeth undeb llafur; a
 - gwybodaeth monitro cyfle cyfartal, gan gynnwys gwybodaeth am eich tarddiad ethnig, cyfeiriadedd rhywiol, iechyd a chrefydd neu gred.
- (c) Mae'r Feithrinfa yn casglu'r wybodaeth yma mewn amrywiaeth o ffyrdd. Er enghraifft, cesglir data trwy ffurflenni cais, CV neu ailddechrau; a gafwyd o'ch pasbort neu ddogfennau adnabod eraill fel eich trwydded yrru; o ffurflenni a gwblhawyd gennych ar ddechrau neu yn ystod cyflogaeth (fel ffurflenni enwebu budd-dal); o ohebiaeth â chi; neu drwy gyfweiliadau, cyfarfodydd neu asesiadau eraill.
- (d) Mewn rhai achosion, mae'r Feithrinfa yn casglu data personol amdanoch gan drydydd parti, megis tystlythyrau a ddarparwyd gan gyn gyflogwyr [gwybodaeth gan ddarparwyr gwiriadau cefndir cyflogaeth, gwybodaeth gan asiantaethau gwirio credyd a gwybodaeth o wiriadau cofnodion troseddol a ganiateir gan y gyfraith].



- (e) Mae data'n cael ei storio mewn amrywiaeth o fannau gwahanol, gan gynnwys yn eich ffeil personél, yn systemau rheoli AD y Feithrinfa ac mewn systemau TG eraill (gan gynnwys system e-bost y Feithrinfa).

Pam fod y Feithrinfa yn prosesu data personol?

- (f) Mae angen i'r Feithrinfa brosesu data i ymrwymo i gontract cyflogaeth gyda chi ac i fodloni ei rhwymedigaethau o dan eich contract cyflogaeth. Er enghraifft, mae angen iddo brosesu eich data i roi contract cyflogaeth i chi, i'ch talu yn unol â'ch contract cyflogaeth ac i weinyddu hawliau pensiwn.
- (g) Mewn rhai achosion, mae angen i'r Feithrinfa brosesu data i sicrhau ei bod yn cydymffurfio â'i rhwymedigaethau cyfreithiol. Er enghraifft, mae'n ofynnol gwirio hawl cyflogai i weithio yn y DU, i ddiwynnu treth, i gydymffurfio â chyfreithiau iechyd a diogelwch ac i alluogi cyflogaethion i gymryd cyfnodau o wyliau y mae ganddynt hawl iddynt. Mae angen cynnal gwiriadau manwl o gofnodion troseddol ar yr holl staff i sicrhau bod unigolion yn cael caniatâd i gyflawni eu rôl.
- (h) Mewn achosion eraill, mae gan y Feithrinfa fuddiant cyfreithlon mewn prosesu data personol cyn, yn ystod ac ar ôl diwedd y berthynas gyflogaeth. Mae prosesu data gweithwyr yn galluogi'r Feithrinfa i:
- rhedeg prosesau recriwtio a dyrchafu;
 - cadw cofnodion cyflogaeth a manylion cyswllt cywir a chyfredol (gan gynnwys manylion pwyl i gysylltu â nhw os bydd argyfwng), a chofnodion o hawliau cytundebol a statudol gweithwyr;
 - gweithredu a chadw cofnod o brosesau disgyblu a chwyno, er mwyn sicrhau ymddygiad derbyniol yn y gweithle;
 - gweithredu a chadw cofnod o berfformiad gweithwyr a phrosesau cysylltiedig, i gynllunio ar gyfer datblygiad gyrfa, ac at ddibenion cynllunio olyniaeth a rheoli'r gweithlu;
 - gweithredu a chadw cofnod o weithdrefnau rheoli absenoldeb ac absenoldeb, er mwyn caniatáu rheolaeth effeithiol ar y gweithlu a sicrhau bod gweithwyr yn cael y tâl neu'r buddion eraill y mae ganddynt hawl iddynt;
 - cael cyngor iechyd galwedigaethol, i sicrhau ei fod yn cydymffurfio â dyletswyddau mewn perthynas ag unigolion ag anableddau, yn bodloni ei rwymedigaethau o dan gyfraith iechyd a diogelwch, a sicrhau bod gweithwyr yn derbyn y tâl neu fudd-daliadau eraill y mae ganddynt hawl iddynt;
 - gweithredu a chadw cofnod o fathau eraill o absenoldeb (gan gynnwys absenoldeb mamolaeth, tadolaeth, mabwysiadu, rhiant ac absenoldeb rhiant a rennir), er mwyn gallu rheoli'r gweithlu'n effeithiol, i sicrhau bod y Feithrinfa yn cydymffurfio â dyletswyddau mewn perthynas â hawl i wyliau, ac i sicrhau bod bod cyflogaethion yn cael y cyflog neu fuddion eraill y mae ganddynt hawl iddynt;
 - sicrhau gweinyddiaeth AD a busnes cyffredinol effeithiol;
 - darparu tystlythyrau ar gais ar gyfer gweithwyr presennol neu gyn-weithwyr;
 - cymryd cyngor gan ymgynghorwyr allanol a chynghorwyr cyfreithiol mewn perthynas â materion AD;
 - ymateb i ac amddiffyn yn erbyn hawliadau cyfreithiol; a
 - cynnal a hyrwyddo cydraddoldeb yn y gweithle.
- (i) Lle mae'r Feithrinfa'n dibynnu ar fuddiannau cyfreithlon fel rheswm dros brosesu data, mae wedi ystyried a yw'r buddiannau hynny'n cael eu diystyru ai peidio gan hawliau a rhyddid gweithwyr neu weithwyr ac wedi dod i'r casgliad nad ydynt.



- (j) Mae rhai categorïau arbennig o ddata personol, megis gwybodaeth am iechyd neu gyflyrau meddygol, yn cael eu prosesu i gyflawni rhwymedigaethau cyfraith cyflogaeth (fel y rhai mewn perthynas â gweithwyr ag anableddau ac at ddibenion iechyd a diogelwch). Mae gwybodaeth am aelodaeth undeb llafur yn cael ei phrosesu i ganiatáu i'r Feithrinfa weithredu'r siec tanysgrifiad i undeb.
- (k) Pan fo'r Feithrinfa'n prosesu categorïau arbennig eraill o ddata personol, megis gwybodaeth am darddiad ethnig, cyfeiriadedd rhywiol, iechyd neu grefydd neu gred, gwneir hyn at ddibenion monitro cyfle cyfartal.

Pwy sydd â mynediad at ddata?

- (l) Bydd eich gwybodaeth yn cael ei rhannu'n fewnol.
- (m) Mae'r Feithrinfa'n rhannu eich data gyda thrydydd parti er mwyn cael geirada cyn cyflogaeth gan gyflogwyr eraill, cael gwiriadau cefndir cyflogaeth gan ddarparwyr trydydd parti a chael gwiriadau cofnodion troseddol angenrheidiol gan y Gwasanaeth Datgelu a Gwahardd. Efallai y bydd y Feithrinfa hefyd yn rhannu eich data gyda thrydydd parti yng nghyd-destun gwerthu rhywfaint o'i busnes neu'r cyfan ohono. O dan yr amgylchiadau hynny bydd y data yn destun trefniadau cyfrinachedd.
- (n) Mae'r Feithrinfa hefyd yn rhannu eich data gyda thrydydd parti'n prosesu data ar ei rhan mewn cysylltiad â chyflogres, ein app meithrinfa Family, cymryd cyngor cyfreithiol a mathau eraill o gyngor gan ymgynghorwyr allanol e.e. cynghorwyr pensiwn a chyfreithwyr cyflogaeth.
- (o) Ni fydd y Feithrinfa yn trosglwyddo eich data i wledydd y tu allan i'r Ardal Economaidd Ewropeaidd.

Sut mae'r Feithrinfa yn diogelu data?

- (p) Mae'r Feithrinfa yn cymryd diogelwch eich data o ddifrif. Mae gan y Feithrinfa bolisïau a rheolaethau mewnol yn eu lle i geisio sicrhau nad yw eich data yn cael ei golli, ei ddinistrio'n ddamweiniol, ei gamddefnyddio neu ei ddatgelu, ac nad yw'n cael ei gyrchu ac eithrio gan ei gweithwyr wrth iddynt gyflawni eu dyletswyddau.
- (q) Pan fo'r Feithrinfa yn cyflogi trydydd parti i brosesu data personol ar ei rhan, maent yn gwneud hynny ar sail cyfarwyddiadau ysgrifenedig, o dan ddyletswydd cyfrinachedd ac mae'n ofynnol iddynt roi mesurau technegol a threfniadol priodol ar waith i sicrhau diogelwch data.

Am ba mor hir mae'r Feithrinfa yn cadw data?

- (r) Bydd y Feithrinfa yn cadw eich data personol am hyd eich cyflogaeth. Mae'r cyfnodau y cedwir eich data ar ôl diwedd cyflogaeth yn dibynnu ar y math o wybodaeth. Mae hwn i'w weld yn ein Polisi Cadw Data.

Eich hawliau

- (s) Fel gwrthrych data, mae gennych nifer o hawliau. Gallwch chi:
- cyrchu a chael copi o'ch data ar gais;
 - ei gwneud yn ofynnol i'r Feithrinfa newid data anghywir neu anghyflawn;
 - ei gwneud yn ofynnol i'r Feithrinfa ddileu neu roi'r gorau i brosesu eich data, er enghraifft lle nad oes angen y data mwyach at ddibenion prosesu;
 - gwrthwynebu prosesu eich data lle mae'r Feithrinfa yn dibynnu ar ei buddiannau cyfreithlon fel y sail gyfreithiol ar gyfer prosesu; a



- gofyn i'r Feithrinfa roi'r gorau i brosesu data am gyfnod os yw'r data'n anghywir neu os oes anghydfod ynghylch a yw eich buddiannau yn drech na seiliau cyfreithlon y Feithrinfa dros brosesu data ai peidio.


- (t) Os hoffech arfer unrhyw un o'r hawliau hyn, cysylltwch â Natasha Baker, post@wibliwobli.co.uk.
- (u) Os credwch nad yw'r Feithrinfa wedi cydymffurfio â'ch hawliau diogelu data, gallwch gwyno i'r Comisiynydd Gwybodaeth.

Beth os na fyddwch yn darparu data personol?

- (v) Mae gennych rai rhwymedigaethau dan eich cytundeb cyflogaeth i ddarparu data i'r Feithrinfa. Yn benodol, mae'n ofynnol i chi roi gwybod am absenoldebau o'r gwaith ac efallai y bydd gofyn i chi ddarparu gwybodaeth am faterion disgyblu neu faterion eraill o dan y ddyletswydd o ewyllys da ymhlwg. Efallai y bydd yn rhaid i chi hefyd ddarparu data i'r Feithrinfa er mwyn arfer eich hawliau statudol, megis mewn perthynas â hawliau gwyliau statudol. Gall methu â darparu'r data olygu na fyddwch yn gallu arfer eich hawliau statudol.
- (w) Mae'n rhaid darparu gwybodaeth benodol, megis manylion cyswllt, eich hawl i weithio yn y DU a manylion talu, er mwyn galluogi'r Feithrinfa i ddod i gontract cyflogaeth gyda chi. Os na fyddwch yn darparu gwybodaeth arall, bydd hyn yn llesteirio gallu'r Feithrinfa i weinyddu'r hawliau a'r rhwymedigaethau sy'n codi o ganlyniad i'r berthynas gyflogaeth yn effeithlon.

Gwneud penderfyniadau awtomataidd

- (x) Nid yw penderfyniadau cyflogaeth yn seiliedig ar wneud penderfyniadau awtomataidd yn unig.

<i>Mabwysiadwyd y polisi hwn ar:</i>	<i>Arwyddwyd ar ran y feithrinfa</i>	<i>Dyddiad adolygu</i>
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