

# Privacy Policy

We are committed to ensuring that any personal data we hold about you and your child is protected in accordance with data protection laws and is used in line with your expectations.

This privacy notice explains what personal data we collect, why we collect it, how we use it and how we protect it.

## What personal data do we collect?

We collect personal data about you and your child to provide care and learning that is tailored to meet your child's individual needs. We also collect information in order to verify your eligibility for free childcare as applicable.

Personal details that we collect about your child include:

- Name
- Date of birth
- Home address
- Dietary requirements
- Past and current medical history
- Attendance information
- Photographs of the Child to signpost Children to where their belongings are stored at the Pre-school that they attend, and also for general display purposes
- Emergency contact should Parents be unavailable and the emergency contact's contact details
- Observations about the Child's development whilst at the Pre-school from Employees of the Pre-school, specific examples of the Child's progress, photographs demonstrating the Child's development whilst at the Pre-school, and personal details of the Child (e.g. their date of birth) ("Progress Report")
- Records relating to individual Children e.g. care plans, common assessment frameworks, speech and language referral forms
- Accidents, incidents and pre-existing injuries forms
- Medicine forms
- Nappy change forms

- Records of any reportable death, injury, disease or dangerous occurrence
- Observation, planning and assessment records of Children

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about a Child’s race or ethnicity, spoken language and nationality.
- Information about a Child’s health, including any medical condition, health and sickness records.
- Information about a Child’s accident or incident reports including reports of pre-existing injuries.
- Information about a Child’s incident forms / child protection referral forms / child protection case details / reports.

Where applicable we will obtain child protection plans from social care and health care plans from health professionals.

We will also ask for information about who has parental responsibility for your child and any court orders pertaining to your child.

Personal details that we collect about parents/carers include:

- Name
- Home address
- Telephone numbers, and personal email addresses.

This information will be collected from you directly in the registration form.

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Conversations with Parents where Employees of the Nursery deem it relevant to the prevention of radicalisation or other aspects of the governments Prevent strategy and safeguarding concerns and referrals.

If you apply for up to 30 hours free childcare, we will also collect:

- Your national insurance number or unique taxpayer reference (UTR), if you're self-employed and your date of birth. We may also collect information regarding benefits and family credits that you are in receipt of.

#### **Why we collect this information and the legal basis for handling your data**

- We use personal data about you and your child in order to provide childcare services and fulfil the contractual arrangement you have entered into. This includes using your data to:
- Contact you in case of an emergency
- To support your child's wellbeing and development
- To manage any special educational, health or medical needs of your child whilst at our setting
- To carry out regular assessment of your child's progress and to identify any areas of concern
- To maintain contact with you about your child's progress and respond to any questions you may have
- To enable the appropriate funding to be received and to process your claim for up to 30 hours free childcare (only where applicable)
- To check safeguarding records
- To check complaint records
- To check attendance patterns are recorded
- To keep you updated with information about our service
- When a child's progress report is given to its parent in order for that parent to give us permission to pass the same progress report to a school for application or enrolment purposes.
- To ensure Pre-school fees are paid.

We have a legal obligation to process safeguarding related data about your child should we have concerns about their welfare. We also have a legal obligation to transfer records and certain information about your child to the school that your child will be attending.

We will only use Your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use Your personal information for an unrelated purpose, we will notify the Employee, Child or Parent, as is appropriate in the circumstances, and we will explain the legal basis which allows us to do so.

Please note that we may process an Employee's, a Child's or a Parent's personal information without their respective knowledge or consent, as relevant to the circumstances, in compliance with the above rules, where this is required or permitted by law.

### **Who we share your data with**

In order for us to deliver childcare services we will also share your data as required with the following categories of recipients:

- Ofsted – during an inspection or following a complaint about our service
- The Local Authority (where you claim up to 30 hours free childcare as applicable)
- The government's eligibility checker (as above)
- Our insurance underwriter (if applicable)
- Our setting software management provider (if applicable)
- The school that your child will be attending

### **We will also share your data if:**

- We are legally required to do so, for example, by law, by a court or the Charity Commission;
- To enforce or apply the terms and conditions of your contract with us;
- To protect your child and other children; for example by sharing information with social care or the police;
- It is necessary to protect our/or others rights, property or safety
- We transfer the management of the setting, in which case we may disclose your personal data to the prospective management so they may continue the service in the same way.

We will never share your data with any other organisation to use for their own purposes

### **How do we protect your data?**

We protect unauthorised access to your personal data and prevent it from being lost, accidentally destroyed, misused, or disclosed. Examples of our security include:

- Controlling access to systems and networks allows us to stop people who are not allowed to view your personal information from getting access to it by using passwords
- Training for our staff allows us to make them aware of how to handle information and how and when to report when something goes wrong.

- Storing information in locked rooms/cabinets.

### **How long do we retain your data?**

We retain your child's personal data for up to 25 years after your child no longer uses our setting, or until our next Ofsted inspection after your child leaves our setting according to legal requirements. Your child's learning and development records are maintained by us and handed to you when your child leaves. Cohort tracking of children are retained until after the next Ofsted inspection.

In some instances (child protection, or other support service referrals) we are obliged to keep your data for longer if it is necessary to comply with legal requirements (see our Children's and Provider Records policies).

### **Automated decision-making**

We do not make any decisions about your child based solely on automated decision-making.

### **Your rights with respect to your data**

Under certain circumstances you have the right to:

- **Request access** to Your personal information (commonly known as a "data subject access request"). This enables You to receive a copy of the personal information we hold about You and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about You. This enables You to have any incomplete or inaccurate information we hold about You corrected.
- **Request erasure** of your personal information. This enables Parents to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove Your personal information where You have exercised Your right to object to processing (see below).
- **Object to processing** of Your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about Your particular situation which makes You want to object to processing on this ground. You also have the right to object where we are processing Your personal information for direct marketing purposes.
- **Request the restriction of processing** of Your personal information. This enables Employees or Parents, as is appropriate, to ask us to suspend the processing of personal information about You for example if You want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of Your personal information to another party.

If You want to review, verify, correct or request erasure of Your personal information, object to the processing of Your personal data, or request that we transfer a copy of Your personal information to another party, please contact the committee Chairperson in writing.

If you wish to exercise any of these rights at any time or if you have any questions, comments or concerns about this privacy notice, or how we handle your data please contact us. If you have continue to have concerns about the way your data is handled and remain dissatisfied after raising your concern with us, you have the right to complain to the Information Commissioner Office (ICO). The ICO can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or [ico.org.uk/](http://ico.org.uk/)

- **No fee usually required**

You will not have to pay a fee to access Your personal information (or to exercise any of the other rights)

#### **RIGHT TO WITHDRAW CONSENT**

In the limited circumstances where You may have provided Your consent to the collection, processing and transfer of Your personal information for a specific purpose, You have the right to withdraw Your consent for that specific processing at any time. To withdraw Your consent, please contact the committee chairperson. Once we have received notification that You have withdrawn Your consent, we will no longer process Your information for the purpose or purposes You originally agreed to, unless we have another legitimate basis for doing so in law.

#### **CHANGES TO THIS PRIVACY NOTICE**

We reserve the right to update this privacy notice at any time, and we will provide You with a new privacy notice when we make any substantial updates. We may also notify You in other ways from time to time about the processing of your personal information.

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#### **Reviewed by:**

Vickie Smith, Co-Chair 02/09/2018

Alice Bettoney, Treasurer 02/09/2018

Date of next review 02/10/2019