



Registered Charity No. 1022409

## Privacy Notice

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**The Data Protection Officer with responsibility for monitoring this privacy notice is**

Flora Lau

### Introduction

We are committed to ensuring that any personal data we hold about you and your child is protected in accordance with General Data Protection Regulations 2018 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 data do we collect?

#### Personal Records

These include:

- Personal details about you and your child - including information provided on your child's application form, registration form and any consent forms. This includes you and your child's name, addresses, email address, contact numbers, child's date of birth and characteristics such as ethnicity, language and nationality, details of adults with parental responsibility for looked after children,
- Safeguarding – including records of all welfare and Child Protection concerns and our resulting actions
- Children's health, safety and wellbeing – including records of accidents, medication records, health care plans
- Emergency contact details – including those people, other than parents/guardians with authorisation to collect your child from the setting.

- Administration records – including your child's days and times of attendance, a log of absences and reasons given, a record of your child's fees and/or funding entitlement; this could include your national insurance number or tax payer reference if you are self-employed, if you want to apply for 30 hours funding. We may also collect information regarding benefits and family credits that you are in receipt of in order to claim Early Years Pupil Premium or 2 Year Old Funding
- Early support and SEN – including intervention provided by our setting, Assess, Plan, Do, Review records, SEN support plans, Education and Health Care Plans.
- All correspondence – emails, text messages and letters to and from parents and other professionals involved in your child's care

### **Developmental Records**

These include:

- A copy of your child's 2-year-old progress check if available.
- Developmental information provided by you or any other settings your child attends
- Observations of children playing and learning, samples of work and developmental assessment records
- Photographs which may be shared on our wallboards (and our website with your written consent which may be withdrawn at any time in writing)

### **Why we collect this 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:

- Support the children's learning
- Make assessments on children's development and identify any areas of concern
- Safeguard the children in our care in accordance with relevant legislation
- Comply with Government legislation
- Monitor the effectiveness of our setting
- Contact you in case of an emergency
- To maintain contact with you about your child's progress and respond to any questions you may have
- Manage health or medical needs of your child
- To process your claim for up to 30 hours free childcare where applicable
- To keep you updated with information about the preschool

### **The legal basis for handling your data**

The Early Years Foundation Stage (Welfare Requirements) Regulations 2012 place a legal obligation upon us to collect and process much of the information detailed above. Therefore, we do not require your consent to collect this information as we have a fair and lawful reason for doing so

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 (see *Transfer of Records* policy).

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

The information you provide to us will be regarded as confidential. We do not share information about your child with anyone without consent unless the law and our policies allow us to do so.

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
- banking services to process payments
- the Local Authority (for the purposes of the Early Education Entitlement for 2, 3 and 4 year olds, up to 30 hours free childcare, Early Years Census)
- the government's eligibility checker (as above)
- our insurance underwriter
- our website provider
- the nursery or school that your child will be attending after leaving us

We are obliged to share confidential information without authorisation from the person who provided it, or to whom it relates when:

- There is evidence that the child is suffering or is at risk of suffering significant harm
- There is reasonable cause to believe that the child is suffering or is at risk of suffering significant harm
- It is to prevent significant harm arising to children, young people or adults including the prevention, detection and prosecution of serious crime

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;
- it is necessary to protect our rights, property or safety
- we transfer the management of the setting; in which case we may disclose your personal data to the prospective buyer 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. Please refer to our Confidentiality and Information Sharing Policies for further information.

### **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 by:

- access to children's files is restricted to authorised personnel such as the preschool leader, deputy, SENCO, designated person for child protection or your child's key person
- confidential paper records are stored in a locked cupboard within locked premises

- confidential records stored on the preschool computers are password protected
- access to financial information is restricted to the preschool leader, committee chairperson, committee treasurer and auditors. This is stored on preschool computer and external hard drives which are password protected.

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

- We retain personal data about you and your child for 7 years after your child leaves our setting.
- Medication records, accident records and child protection records are kept until your child reaches the age of 24 years to comply with legal requirements.
- Your child's learning and development records are maintained by us and handed to you when your child leaves. A summary will be passed to your child's next setting when they leave.

### **Automated decision-making**

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

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

As preschool children are too young to give "informed consent" the person with parental responsibility has a right to see the data held about them as well as their own personal information.

You have the right to:

- request access, amend or correct your/your child's personal data
- request that we delete or stop processing your/your child's personal data, for example where the data is no longer necessary for the purposes of processing; and
- request that we transfer your, and your child's personal data to another person

If you wish to discuss anything in this privacy notice, please contact us. If you 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/)

### **Changes to this notice**

We keep this notice under regular review. You will be notified of any changes where appropriate.