Privacy Notice

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

The Data Protection Officer with responsibility for monitoring this privacy notice is Sally Bowd.

What personal data do we collect?

We collect, hold and share two kinds of records on children attending our setting. These are:

Developmental records; which include:

- Developmental information collected prior to the child starting at the setting
- A copy of the child's Two Year Old Progress Check
- Observations of children in the setting, photographs, video clips, samples of work and developmental assessment records.
- A summary of the child's EYFS profile report.

Personal records, which include:

- Personal details – including the information provided on the child's registration form and any consent forms and characteristics such as ethnicity, language and nationality.
- Contractual matters – including the child's days and times of attendance, a record of the child's fees and/or funding entitlement, any records of fee reminders and/or disputes
- Details of those with parental responsibility and any court orders pertaining to your child.
- Where applicable we will obtain child protection plans from social care and health care plans from health professionals.
- Emergency contact details – including those people, other than parents/guardians with authorisation to collect the child from the setting.
- Children's health and well-being – including discussions about every day matters regarding the health and well-being of the child with the parent/guardian, records of accidents and medication records.
- Safeguarding and child protection concerns – including records of all welfare and protection concerns and our resulting actions, meetings and telephone conversations about the child and any information regarding a Looked After Child.
- Early support and SEN – including any focussed intervention provided by our setting, a record of the child's IEP and, where relevant, their Statement of Special Education Need.
- Correspondence and reports – including letters and emails to and from other agencies and any confidential reports relating to specific children

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. 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 record, process and keep personal information on you and your child in accordance with Article 6 – 'the rights of data subjects' under the Data Protection Act 1998. Article 9 – 'processing of special categories of personal data' under the GDPR - from May 2018

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, learning 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 process your claim for up to 30 hours free childcare (only where applicable)
- to keep you updated with information about our service
- Assess the quality of our services

With your consent, we will also record your child's activities for their individual learning journal. This may include photographs and videos. You will have the opportunity to withdraw your consent at any time, for images taken by confirming so in writing. **However please be aware that consent can only be withdrawn pertaining to images taken after the said date as images used prior to this date, for example, in another child's learning journal may not be able to be retrieved to be edited or deleted.**

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 that you provide to us, whether mandatory or voluntary, 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
- 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
- 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 buyer so they may continue the service in the same way.

How do we protect your data?

We ensure that access to children's files is restricted to those authorised to see them.
We ensure that there is not a breach of access to children's personal confidential information/records by:

- Storing all paper registration forms in a locked filing cabinet in the office.
- Using secure software systems that have secure servers which hold our databases.
- Minimal information is kept on specific ICT equipment, which is password protected and access is restricted to only those authorised to

How long do we retain your data?

We retain your child's personal data for up to 3 years after your child no longer uses our setting, or until [my/our] next Ofsted inspection after your child leaves our setting. Medication records and accident records are kept for longer according to legal requirements. Your child's learning and development records are maintained by us and handed to you when your child leaves.

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).

Your rights with respect to your data

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 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 [me/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/

Changes to this notice

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