

DATA PROTECTION PRIVACY NOTICE

The setting will communicate this privacy notice whenever collecting data from an individual (this could be staff, volunteers, students, job applicants, parents of children and so on).

All data will be protected under our data protection policy.

The setting acts as both Data Controller (when keeping data onsite) and Data Processor where and when data is shared and stored on another system which will include Xplor, Apple iCloud Email, Microsoft Outlook Calendar and Dropbox.

We are registered with the Information Commissioner's Office (ICO).

The categories of children's information that we collect, hold and share include:

- personal information (such as name, address, date of birth)
- characteristics (such as ethnicity, language, nationality, country of birth, early years pupil premium eligibility)
- attendance information (such as sessions attended, number of absences and absence reasons)
- observations and assessment information and tracking of progress medical information
- information on special educational needs and disabilities (including if accessing Disability Living Allowance and entitled the Disability Access Fund)
- referrals to other relevant services
- safeguarding information.

We also collect, hold and share some information on the children's parents/guardians:

personal information (names, address, contact numbers and emails)
National Insurance numbers.

Why we collect and use this information

We use the children's and parents' data to:

support their learning and development, to enable staff to plan suitable activities to extend their knowledge and skills ensure that all children are safe within our childcare provision monitor and report on their progress provide appropriate behavioural and emotional support as required assess the quality of our services as a childcare provider comply with the law regarding data sharing (GDPR) meet the requirements of the early years foundation stage (EYFS) make claims for funding.

The lawful basis on which we use this information

We collect and use children's information under the following lawful bases:

Contract: the processing is necessary for a contract we have with you the parents/guardian of the child to provide childcare and the contract that we have with the local authority to provide funded childcare to eligible families.

Legal obligation: the processing is necessary for us to comply with the law (submitting data for the early year's census).

Collecting children's information

While most of the children's information you provide to us is mandatory, some of it is provided to us on a voluntary basis. To comply with the GDPR, we will inform you whether you are required to provide certain children's information to us or if you have a choice in this.

Storing children's data

We are required to hold children's data for a reasonable period of time after children have left the provision (we hold the data for approximately 3-6 months, unless there has been a serious incident/accident or legal reason) as a requirement under the EYFS. The Limitation Act 1980 recommends that we retain data until the child reaches the age of 21 — or until the child reaches the age of 24 for child protection records.

Your data will be held securely and will only be accessible by staff who are authorised to do so.

Who we share children's information with?**We routinely share children's information with:**

schools that the child attends after leaving our provision other local childcare providers where the child is engaging currently (wrap around or blended childcare) our local authority (for funding claims and the early years census) the DfE (annual early years census) special education needs co-ordinators NHS services (health visitors and speech and language therapists).

Why we share children's information

We do not share information about our children with anyone without your consent unless the law and our policies allow us to do so.

We share children's data with the DfE on a statutory basis.

Data collection requirements

To be granted access to children's information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

You also have the right to:**Rights as a 'data subject'**

Anyone who has data held on them by the setting (a data subject) has the following rights on how their data is held, used and disposed of.

- The right to be informed—Data subjects must be told what data is being held, what it is being used for and why. This is typically communicated by way of a privacy notice.
- The right of access —Have a right to know what personal data about them is being held. A data subject can request to see their personal data by way of a subject access request (more on this later).
- The right to rectification —Information must be accurate and if it is incorrect then it must be updated.
- The right to erasure —Allows individuals to insist on the deletion or removal of their personal data where there is no compelling reason for its continued processing. Deletion must be permitted within the law.
- The right to restrict processing —Individuals may block processing of personal data and in these situations, settings are only permitted to store the personal data but not further process it.

Object to processing of personal data that is likely to cause, or is causing, damage or distress prevent processing for the purpose of direct marketing in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the ICO.

The right to object –Includes the right to object to direct marketing.

We are not changing the ways we use your personal information, the notice is being shared to inform you of your increased rights in relation to the information held on you, including what information we collect about parents/carers and their children, how we use it and the legal grounds for this.

Privacy Notice (How we use parents/carers and children's information)

All information that we collect is necessary to meet our contractual and legal requirements as an Early Years Setting and Out of School Club, from Ofsted, Local Authorities and the EYFS. The categories of information that we collect, hold and share include:

- Personal information (such as name, date of birth and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and funding eligibility) for children
- Attendance information (such as sessions attended, number of absences and absence reasons) for children
- Relevant Medical information for children
- Special Educational Needs information for children
- Assessment information for children
- Adult Bank Details
- Proof of identity for adults
- Birth certificates for funding for children
- Details of any accidents / incidents / existing injuries
- Relevant documentation for child protection and safeguarding concerns
- Funding information and details

Why we collect and use this information

We use the data:

- to support children's learning
- to monitor and report on their progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to comply with the requirements of the Early Years Foundation Stage Statutory Requirements and Ofsted
- to ensure children are eligible for funding
- to process nursery fees
- to ensure children's health, safety and wellbeing

The lawful basis on which we use this information

We collect and use children's information under the Statutory Framework for the Early Years Foundation Stage (given legal force by the Childcare Act 2006), The Limitation Act 1980. By completing and signing the nursery registration form you are giving consent for us to process yours and your child's personal data for the specific purposes of being part of the nursery setting. The processing of the information you have provided about yourself and your child is necessary for the

contract you have completed in the registration form. We have a legal obligation to process the information provided we comply with the law.

Collecting Children's Information

Whilst most of the children's information you provide to us is mandatory, some of it is provided to us on a voluntary basis. To comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

Storing children's data

All data is stored securely and is detailed in the Data Protection Policy*

We hold children's data such as their registration details, accidents, and medication form etc, until each child has reached the age of 21 to 24 years regarding child protection. Learning and assessment will be kept for 3 months after the child leaves.

Who we share children's information with;

We routinely share children's information with:

- Our local authority-Funding Team
- Schools that the children attend after leaving us
- Ofsted
- Health Visitors
- Social Workers
- Inclusion teams, SEN panels, funding etc
- Local Children's safeguarding boards / LADO
- Other providers that children attend
- Multi agency professionals working with individual children
- Area SENCO's

Why we share pupil information

We do not share information about children with anyone without consent unless we are obliged to as part of a lawful process/investigation.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and claim compensation for damages caused by a breach of the General Data Protection Regulations

Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance at discovery.nursery@icloud.com

Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Contact If you would like to discuss anything in this privacy notice, please contact us at discovery.nursery@icloud.com or telephone 02392174280