

St Oswald's Ladybirds Pre-School

Privacy notice

St Oswald's Ladybirds Pre-School CIO
Mayfield Road
Ashbourne
Derbyshire
DE6 1AS

DATA PROTECTION OFFICER : Becky Dutton – Manager/Trustee

Introduction

We are committed to ensuring that any personal data we hold about parents, their own children, staff or Committee members 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.

We recognise that parents, staff and Committee have a right to know that the information they share with us will be regarded as confidential, as well as to be informed about the circumstances when, and the reasons why, we are obliged to share information.

We record and share information about children, their families or staff or Committee members (data subjects) in line with the six principles of the General Data Protection Regulations (GDPR) (2018) which are further explained within this Privacy Notice that is given to parents and staff at the point of registration or employment.

The six principles state that personal data must be:

1. Processed fairly, lawfully and in a transparent manner in relation to the data subject.
2. Collected for specified, explicit and legitimate purposes and not further processed for other purposes incompatible with those purposes.
3. Adequate, relevant and limited to what is necessary in relation to the purposes for which data is processed.
4. Accurate and where necessary, kept up to date.
5. Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the data is processed.
6. Processed in a way that ensures appropriate security of the personal data including protection against accidental loss, destruction or damage, using appropriate technical or organisational measures

We are obliged to share confidential information without authorisation from the person who provided it, or to whom it relates, if it is in the public interest. That is when:

- it is to prevent a crime from being committed or to intervene where one may have been, or to prevent harm to a child or adult; or
- not sharing it could be worse than the outcome of having shared it.

What personal data do we collect?

We collect personal data about children to provide care and learning that is tailored to meet children's individual needs. We also collect information in order to verify parents eligibility for free childcare as applicable. We collect personal data from employees in order to verify suitability for employment and ensure that we are fulfilling our legal obligation in terms of employee rights.

We collect personal data from Committee members in order to verify suitability for office.

Personal details that we collect about children include:

- child's name, date of birth, address, health and medical needs, development needs, and any special educational needs

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 legal parental responsibility for each child and any court orders pertaining to them.

Personal details that we collect about parents include:

- name, home and work address, phone numbers, emergency contact details, and family details for emergency contacts or child collection details. This information will be collected from parents when being placed on the waiting and during the registration process.

If parents apply for up to 30 hours free childcare, or if a child qualifies for 2 year old funding, we will also collect:

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

Personal details that we collect about staff include:

- Name, date of birth, home and work address, phone numbers, emergency contact details, and family details for emergency contacts.
- National insurance details and bank details for employment use
- DBS check records and declarations
- Medical information
- Appraisals, Peer on Peer observations
- Training information
- Pension information

Personal details that we collect about Committee members include:

- Name, date of birth, home address, phone numbers
- DBS check records and declarations
- Medical information

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

- We use personal data about parents, children, staff members and Committee members in order to provide childcare services and employment and fulfil the contractual arrangement we have entered into. This includes using your data to:
 - contact you in case of an emergency

- to support a child's wellbeing and development
- to manage any special educational, health or medical needs of a child whilst at our setting
- to carry out regular assessment of a child's progress and to identify any areas of concern
- to maintain contact with parents about your child's progress and respond to any questions they may have
- to process a claim for up to 30 hours free childcare (only where applicable)
- to keep parents and employee's updated with information about our service
- to keep to the legal obligations of employment

Parents and Children

With parent consent, we will also record a child's activities for their individual learning record. This may include photographs. Parents will have the opportunity to withdraw their consent at any time, for images taken by confirming so in writing. Parents will be asked to sign a permission slip for these occasions during the Registration process.

We have a legal obligation to process safeguarding related data about children should we have concerns about their welfare. We also have a legal obligation to transfer records and certain information about children to the school that the children will be attending (see *Transfer of Records* policy) and liaise with any other setting the children attends. Parents will be asked to sign a permission slip for these occasions during the Registration process.

Staff

We have a legal and contractual obligation to process information relating to employment. Employees will be asked to sign relevant documentation during their interview and induction period.

Committee members

We have a legal and contractual obligation to process information with regarding to their terms of office and being registered with Ofsted and The Charity Commission.

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 15/30 hours free childcare or 2 year old funding as applicable)
- the government's eligibility checker (as above)
- financial institutions relating to employment
- our insurance underwriter (if applicable)
- the other pre-school settings / childminders children will be attending
- the school that children 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 all children; for example by sharing information with social care or the police;
- 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

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:

- Keeping all data and personal information within pre-school room in locked filing cabinets when not in use.
- Not taking data is not taken off the premises, unless permission has been sort by parents or Ofsted or information is required by other professionals listed above.
- Keeping any electronic data on an external hard drive which in locked in filing cabinets when not in use.
- Staff only having access to the external hard drive as and when and where necessary.

How long do we retain your data?

We retain children's personal data for up to 3 years after your child no longer uses our setting, or until our next Ofsted inspection after your child leaves our setting. Medication records and accident records are kept for longer according to legal requirements (21 years and 9 months). A child's learning and development records are maintained by us and handed to their parent when their child leaves. Should parents wish to take their child's learning and development records home, they will be asked to sign a declaration stating that they have sole use of the information.

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

We retain staff personal data for :

Pay role – 3 years after employee leaves

Recruitment process – 6 months after interviews

Employee records – 6 years after they have left.

We retain Committee members personal data until the last Ofsted inspection after the members have left the Committee:

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

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 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.

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To all Parents, Carers, Employees and Committee Members,

Please find attached our Privacy Policy which came into effect on 25th May 2018. This is reviewed annually.

We have a legal obligation to share this with you.

Yours sincerely,

Becky Dutton

Pp St Oswald's Ladybirds Pre-School CIO Trustees