



**Halstead Nursery c/o Halstead Community Primary School, Otford Lane, Halstead, Kent TN14 7EA**

**Introduction**

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. 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, address, health and medical needs, development needs, attendance information 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 parental responsibility for your child and any court orders pertaining to your child.

Personal details that we collect about you include:

- name, home and work address, phone numbers, emergency contact details, relevant medical information and family details.

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

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

- your national insurance number / national asylum support service 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 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 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

With your consent, we will also record your child's activities for their individual learning record. This may include photographs and videos. You will have the opportunity to withdraw your consent at any time, for confirming so in writing.

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:**

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 direct debit payments (as applicable)
- 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
- any outside agencies with whom you have agreed we can work to meet the needs of your child.
- the school that your child will be attending
- Department for Education (DfE) (statutory for early years funding and policy monitoring)
- Kent County Council Management Information & Finance (to provide funding)
- Other local authorities, or other early years settings, to resolve duplicate claims and funding queries.
- Kent County Council teams working to improve outcomes for children and young people.
- Commissioned providers of local authority services (such as education services.
- Local multi-agency forums which provide SEND advice, support and guidance (such as EY Local Inclusion Forum Team (EY LIFT))
- Partner organisations signed up to the Kent & Medway Information Sharing Agreement, where necessary, which may include Police, school nurses, doctors and mental health workers and Kent Community Health NHS Foundation Trust.
- Contracted providers of services (such as external photographers and catering providers) where consent has been given.
- The National Pupil Database (NPD):

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

The NPD is owned and managed by the DfE and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the DfE. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

The DfE may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The DfE has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil 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.

#### **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 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:

- Storing any details recorded on paper in a locked filing cabinet.

- Storing any computer based information in a password protected area on our nursery computer.

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

We retain your child's personal data according to the requirements of the Kent County Council Record Management toolkit, currently 7 years. 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).

### **Automated decision-making**

We do not make any decisions about your child solely based 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/setting.

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/)

If you would like to get a copy of the information about you that KCC shares with the DfE or how they use your information, please contact the Information Resilience and Transparency Team at [data.protection@kent.gov.uk](mailto:data.protection@kent.gov.uk). For more information about services for young children, please go to: <http://www.kent.gov.uk/education-and-children/childcare-and-pre-school> or the KCC website at [www.kent.gov.uk](http://www.kent.gov.uk)

The General Data Protection Regulation also gives you right to lodge a complaint with a supervisory authority. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns> or telephone 03031 231113.

For further information visit <https://www.kent.gov.uk/about-the-council/about-the-website/privacy-statement>

For further information about how the Department for Education uses your information:

To find out more about the pupil information we share with the DfE, for the purpose of data collections, go to <https://www.gov.uk/guidance/early-years-census>

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

For more information about the DfE's data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact DfE: <https://www.gov.uk/contact-dfe>

Changes to this notice

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