

Privacy Notice

1.1 Who we are

Kinder Harmony Ltd is the data controller for the personal information we collect and use about children, parents, carers, emergency contacts and other family members in connection with our nursery provision.

1.2 What personal information we collect

We collect and use information needed to provide safe, appropriate childcare and early education. This may include a child's name, date of birth, address, attendance, emergency contacts, parental responsibility information, medical information, allergy information, dietary requirements, development records, observations, learning records, accident and incident records, safeguarding records, SEND information, funding information, photographs or videos where relevant, and records of communication with parents, carers and professionals.

We also collect information about parents, carers and authorised contacts, including names, addresses, telephone numbers, email addresses, relationship to the child, emergency contact details, payment and billing information, funding eligibility information, and any information needed to manage the contract between you and the setting.

Where parents apply for funded childcare or early education, we may collect and use information needed to check eligibility and make funding claims. This may include details such as a National Insurance number, Unique Taxpayer Reference, employment or self-employment information, benefit or tax credit information, eligibility codes, and other information required by the local authority or government eligibility systems. If the required information is not provided, we may be unable to claim funding for the child.

Where applicable, we may also hold information such as social worker details, child protection plans, child in need plans, early help information, SEND support information, health care plans, medical instructions, medication records, allergy plans and information provided by health professionals, social care, local authority services or other agencies involved with the child or family.

Some of the information we process may be special category data, such as health information, disability information, ethnicity, religion or information relating to safeguarding or welfare concerns. We only process this where we have a lawful basis and an additional condition under data protection law.

1.3 How we collect information

We collect information directly from parents and carers through registration forms, contracts, funding forms, consent forms, emails, telephone calls, meetings and day-to-day communication. We may also receive information from health professionals, local authority services, social care, previous settings, receiving schools, funding bodies, safeguarding partners or other professionals involved with a child or family.

1.4 Why we use personal information

We use personal information so that we can provide childcare and early education, keep children safe, support children's learning and development, meet health and medical needs, manage attendance, communicate with parents and carers, process fees and funding, meet legal and regulatory requirements, respond to concerns or complaints, and work with other professionals where this is needed to support or safeguard a child.

This includes using information to check funding eligibility and make funding claims; process invoices, payments, refunds and account queries; manage attendance and contracts; maintain required records; support transitions to another setting or school; and respond to lawful requests from regulators, courts, local authorities, safeguarding partners or other agencies.

1.5 Our lawful bases for using information

We rely on different lawful bases depending on the purpose for using the information. These may include contract, where information is needed to provide childcare and manage our agreement with you; legal obligation, where we must keep or share information to comply with law or regulatory requirements; vital interests, where information is needed to protect someone's life or safety; legitimate interests, where the use of information is necessary for the effective and safe running of the setting and does not override individual rights; and consent, where you have a genuine choice, such as for optional marketing, some photographs or other optional uses.

Where we process special category data, we also rely on an additional condition under data protection law. This may include explicit consent, health and social care purposes, substantial public interest, safeguarding of children and individuals at risk, or legal claims, depending on the circumstances.

1.6 Consent

Where we rely on consent, you can withdraw your consent at any time by contacting the setting. Withdrawing consent will not affect any processing that has already taken place. We will not rely on consent where another lawful basis is more appropriate, for example where information is needed to safeguard a child, meet a legal duty, process funding, manage our contract with you, or respond to a lawful request from a regulator, court, local authority or safeguarding agency.

We may ask for consent for optional uses, such as some photographs, publicity, marketing, newsletters or optional sharing that is not otherwise required. We will make clear what you are being asked to consent to and how you can withdraw consent for future use.

1.7 Who we share information with

We may share information where this is necessary and lawful. This may include sharing information with Ofsted, local authority early years and funding teams, safeguarding partners, social care, health professionals, emergency services, receiving schools or settings, payment providers, software providers, insurers, legal advisers, accountants, auditors, courts, police or other agencies where required or permitted by law.

Payment information may be shared with banking, card payment, direct debit or other payment service providers where this is needed to process fees, refunds or account transactions.

If the setting, company or part of the business is transferred, sold, reorganised or taken over, relevant personal information may be shared with the prospective or new provider where this is necessary to support continuity of childcare, manage contracts, meet legal obligations, and ensure records continue to be handled appropriately.

We only share the information that is necessary for the relevant purpose. Where information is shared with service providers acting on our behalf, we require them to keep it confidential and to use appropriate security measures.

1.8 Safeguarding and information sharing

We may share information without consent where this is necessary to safeguard a child or another person, prevent or detect crime, comply with a legal obligation, respond to a court order, or support

a lawful safeguarding process. We will consider what information is necessary, relevant and proportionate, and we will record decisions about sharing information.

Where safeguarding, welfare or child protection information needs to be shared with another professional, agency, school or setting, we will consider the child's welfare, the purpose of sharing, the lawful basis for sharing, whether consent should be sought, and whether seeking consent would create risk or undermine a lawful process.

1.9 Photographs, videos and learning records

We may use photographs, videos and observations as part of children's learning and development records and day-to-day nursery practice. We will explain how these are used and will seek consent where the use is optional, such as for marketing, publicity or other uses outside normal nursery record keeping. Consent can be withdrawn for future optional uses.

1.10 How long we keep information

We keep information only for as long as needed for the purpose it was collected and to meet legal, regulatory, safeguarding, insurance, accounting and operational requirements. Different types of records are kept for different periods. Some records, such as registers, accident records, medication records, safeguarding records, financial records and complaints records, may need to be kept for longer than others. Details are set out in our record keeping and archiving procedures.

1.11 How we keep information secure

We use appropriate technical and organisational measures to protect personal information. Paper records are stored securely and access is restricted to those who need it. Electronic records are protected through appropriate access controls, passwords, permissions and secure systems. Staff are expected to follow confidentiality, data protection and safeguarding procedures.

1.12 Where information is stored and processed

Information may be stored in secure paper files, nursery management systems, communication systems, finance systems, cloud services, email accounts and other systems used to operate the setting. Our service providers may process information on our behalf in the UK, the European Economic Area, or other locations where appropriate safeguards are in place. We require service providers to protect personal information and only process it in line with our instructions and data protection law.

1.13 Your rights

You and your child have rights under data protection law. These may include the right to be informed, the right of access, the right to rectification, the right to erasure, the right to restrict processing, the right to object, and the right to data portability, depending on the circumstances and the lawful basis for processing. Some rights may not apply in every situation.

If you wish to make a request about personal information held by the setting, please contact the setting manager. Where a request is made on behalf of a child, we will consider the child's best interests, the requester's authority, any safeguarding concerns and the rights of other people before disclosing information.

1.14 Questions, concerns and complaints

If you have any questions or concerns about how we use personal information, please contact the setting manager in the first instance. If your concern is not resolved, you may contact Kinder

Harmony Ltd using the company contact details provided by the setting, or the person responsible for data protection matters.

You also have the right to complain to the Information Commissioner's Office if you are unhappy with how your personal information has been handled.

1.15 Changes to this notice

We keep this Privacy Notice under review and will update it when needed. Where changes are significant, we will take reasonable steps to make parents and carers aware of the updated notice.