

10.1b Privacy Notice

Sandy Bears' Privacy Notice

Sandy Bears Nursery & Pre School Cholmondeley Ltd

Unit 6 Catle Farm

Cholmondeley

Malpas

CH3 9PX

Astone Richardson – Data Protection Officer

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 that is tailored to meet your child's individual needs. We also collect information in order to verify your eligibility for funded childcare as applicable.

Personal details that we collect about your child include:

- your child's name, date of birth, address, health and medical needs, development needs, and any special educational needs, professionals who work with your family and other contacts

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 but are not limited to:

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

If you apply for up to 30 hours funded 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 and your date of birth.

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

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order 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.

The Early Years Foundation Stage (Welfare Requirements) Regulations 2012 place a legal obligation upon us to collect and process much of the information detailed above. Therefore we do not require your consent to collect this information as we have a fair and lawful reason for doing so.

All forms collecting data will clearly state our lawful basis for processing the information you supply and where the request is voluntary or consent is required this will be clearly stated.

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 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 funded childcare (only where applicable)
- to keep you updated with information about our service
- Assess the quality of 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 images taken by 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 chip and pin and/or direct debit payments (as applicable)
- the Local Authority (where you claim up to 30 hours funded childcare as applicable)
- the government's eligibility checker (as above)
- our insurance underwriter (if applicable)
- our setting software management provider (if applicable)
- 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.

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 data in locked cabinet or securely archived in owners household.

How long do we retain your data?

Storing children's data

We ensure that access to children's files is restricted to those authorised to see them such as the manager, deputy, designated person for child protection, the child's key person or the setting SENDCo. These confidential records are stored in a locked cabinet in our office.

We retain children's records for 7 years after they have left the setting, except records that relate to a serious accident or child protection matter. These are kept until the child reaches the age of 21 years and 3 months or 25 years respectively.

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

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- withdraw consent where given (note that consent of images shared may not be possible to withdraw past consent but future consent is always instant withdrawal)
- 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 Data Protection regulations

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 Laura Yates or Astone Richardson. 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.