



PRIVACY NOTICE

GENERAL DATA PROTECTION REGULATIONS (GDPR)

May 25th 2018

This new regulation replaces current regulations (Data protection Act 1998 and the Electronic Communications Regulations (PECR) 2003).

It is a requirement of the nursery's registration with the Information Commissioners Office (ICO) to provide you with information about the details the nursery keeps about you and your child/children in relation to both Online and Paper Data Processing.

Our ICO Registration Number: **Z2054582**

Primrose Hill Nursery holds 2 different types of records about you and your child:

Developmental Records of your child including:

- Information from you
- Details about your child's learning and development at home (entered in Learning Journal)
- A copy of your child's statutory 2 Year Progress Check
- Observations of your child's learning (entered in Learning Journal)
- Assessments, individual planning and regular progress summaries

Personal Records of you and your child including:

- Personal details required by the statutory frameworks and/or the Local Authority for funding purposes
- Contractual details including attendance registers and fees information
- Emergency details including your contact details and records of your child's health and care needs
- Safeguarding and Child Protection Records
- Any records required to support your child such as shared information from other agencies and professionals

What information does Primrose Hill Nursery need about you and your child?

The nursery holds information about you and your child to ensure we comply with the Early Years Foundation Stage (EYFS 2017), the Childcare Register (2016) and the Early Years Inspection Handbook (2018). Most of the information we collect about you and your child is statutory; when information is optional we will let you know that you have a choice whether you wish to share it.

There are 6 lawful bases for processing data

- **Consent:** The parent has given clear consent for the Nursery to process their personal data for the specific purpose of providing a childcare service
- **Contract:** The processing of data is necessary for a contract you have with the parent
- **Legal Obligation:** The processing is necessary for the nursery to comply with the law
- **Vital Interest:** The processing is necessary to protect someone's life
- **Public Task:** The processing is necessary for the Nursery to perform a task in the public interest or for official functions
- **Legitimate Interests:** The processing is necessary for the Nursery's legitimate interests

The Data the Nursery is required by law to hold for each child is as follows: -

- Child's Full Name
- Child's Date of Birth
- Child's Address and Contact details
- Parent's Addresses (if different) and Contact details including telephone number
- Parental Responsibility
- Legal Contact
- Emergency Contact Details (Names and Telephone numbers – 2 people not including parents)
- Allergies/dietary requirement information
- Any other special requirement/needs/medical history details
- Names of people who can collect your child if not yourselves
- Doctor Name, Address and Contact number

The Nursery must have this data to abide by our OFSTED registration requirements and therefore be able to provide a childcare service for you and your child.

EYFS 2017

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/596629/EYFS_STATUTORY_FRAMEWORK_2017.pdf

Childcare Register 2016

www.gov.uk/government/uploads/system/uploads/attachment_data/file/650103/EY_and_childcare_reg_handbook.pdf

Early Years Inspection Handbook 2018

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/697194/EY_inspection_handbook.pdf

Special Category Data (Race, Ethnic Origin & Religious or Philosophical Beliefs)

Primrose Hill Nursery need to be given explicit consent to continue to process this data. You must be able to opt in to these categories and sign each one for consent given (See Registration Form)

What Primrose Hill Nursery will do with your data and who we will share it with

Primrose Hill Nursery will ensure the information we collect about you and your child is treated confidentially and only share it when there is a need for it to be shared, ideally with your permission in advance of sharing, for example-

- We share information with other settings or agencies involved in your child's care – We are required to do this by the EYFS 2017 3.68 (See Permissions on Registration Form)
- We are required to share a copy of your child's 2 Year progress check with your Health Visitor – We are required to do this by the EYFS 2017 2.5 (Permissions on Registration Form)
- A Safeguarding/Child protection concern, or Doctors in the event of an emergency
- We share information about income and expenses including, when requested, your invoices and payments with HMRC and Tax Credits

Ensuring your data is accurate

We are required to keep data about you and your child up-to-date and to ensure it is accurate. You have the right to access personal data about you and your children and we will share this with you on request.

When your child leaves the Nursery

When your child leaves nursery you are entitled to take all data relating to your child's progress, but we are required by law to hold onto some data for a long period of time, so we cannot destroy these or pass them on to you. Any other data may be handed over to you or destroyed at your request. (See our retention of data policy)

How Nursery will delete your Data

Electronic/Online Deletion – files held in relation to children and their families on the computer are deleted when no longer required

Paper Deletion – files held in paper format, including photographs of children, are either handed to parents when the child leaves or shredded (unless it is a requirement by law to keep). Permission is requested from parents so that we may keep photographic evidence of our weekly planning activities which may have images of their child. (See our retention of data policy)

Your Rights

1. You have a right to be informed about the collection and use of your personal data
2. You have a right to access your personal data that we hold and process
3. You have a right to have inaccuracies rectified or completed if it is incomplete
4. You have a right to erasure of data (unless we are required by law to keep it)
5. You have a right to restrict the processing of data
6. You have a right to object to the way in which we hold and process your data
7. You have a right to request and use the data we hold on you for other purposes
8. You have a right to lodge a complaint if you feel the nursery is processing your data without consent

In actioning any of the above rights the nursery is obliged to respond to your request within one month. It may not always be possible to agree to your requests due to our legal obligations in providing a childcare service for you.

How you can make a complaint

If you think that the nursery is not processing your data correctly or there is a data breach you can complain to: -

Ofsted

Email: enquiries@ofsted.gov.uk

Telephone: 0300 123 1231

Address: Piccadilly Gate, Store Street, Manchester M1 2WD

ICO – Information Commissioners Office

Website - <https://ico.org.uk/concerns/>

Online Data Processing

Laptops – Both nursery laptops are password protected and have antivirus software

Cameras – Cameras are used in the nursery to take photographs of your child taking part in nursery activities to inform development and progress and to print off and put into the child's learning journal. All photos taken are uploaded daily onto our nursery laptop and then deleted from the cameras. Cameras are only used for nursery and are always kept on site. (See permissions on Registration Form)

Facebook – The nursery uses an open Facebook group to show news and activities relating to our setting. Photographs are uploaded but no names are published. You are asked to give consent for us to include your child in our uploads. No images of your child will be shown on our Facebook page unless we have your explicit consent (See Permissions on Registration Form)

T2P Texting Service - The nursery uses an online texting service to communicate with you. This site is password protected and compliant with GDPR.

Website – The nursery website holds photographs of children on the Gallery page. Permission is always sought before any images are uploaded onto the website. Staff names and photographs are also on the website and again permissions are always requested before publishing.

Website Emails – Your email addresses are stored on our nursery website email hosting service (info@prhn.co.uk) for us to send you newsletters and communicate other important information. We always ask for your permission to contact you in this way (see permissions on Registration Form)

Paper Data Processing

Registration Forms & Permissions – These are held in a file and kept in a locked cabinet in the nursery room.

Nursery Funding Forms – These are held in a file in a locked cabinet in the nursery room.

Safeguarding Paperwork – These are always kept locked away and accessed only by the Designated Safeguarding Lead and Deputy.

Attendance Registers – These are kept to hand whilst the nursery is open but locked away at the end of the session.

Children's Learning Journals – These are kept in the individual child's drawer in the nursery. The nursery room is always locked when we are not open.

For more information about the processing, storage and retention of all data kept please request a copy of our data audit.