

10.1b

Stonesfield Pre-schools Privacy Notice

Stonesfield Pre-school. 4 Glovers Yard, The Cross, Stonesfield, Witney
Tel: 01993 898370 Email: stonesfieldps@outlook.com

DATA PROTECTION OFFICER: Lizzie Wharton (Manager)

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

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:

- your name, home and work address, phone numbers, emergency contact details, and family details

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.

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

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

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:

- Paper-based records and portable electronic devices, such as laptops and hard drives that contain personal data are kept locked when not in use
- Papers containing confidential personal data must not be left unattended on the office desk if the door is unlocked, in the Pre-school room or pinned to notice/display boards, or left anywhere else where there is general access
- Where personal information needs to be taken off site, staff must sign it in and out from the Pre-school
- Passwords are used to access the Pre-school laptop and iPads. Staff are reminded to change their passwords at regular intervals
- Encryption software is used to protect all portable devices and removable media, such as laptops and USB devices where personal information is stored
- Staff and Committee who store personal information on their personal devices are expected to follow the same security procedures as for -owned equipment.
- Where we need to share personal data with a third party, we carry out due diligence and take reasonable steps to ensure it is stored securely and adequately protected (see section 8)

1. Disposal of Records

Personal data that is no longer needed will be disposed of securely. Personal data that has become inaccurate or out of date will also be disposed of securely, where we cannot or do not need to rectify or update it.

For example, we will shred or incinerate paper-based records, and overwrite or delete electronic files. We may also use a third party to safely dispose of records on the Pre-school's behalf. If we do so, we will require the third party to provide sufficient guarantees that it complies with data protection law.

2. Personal Data Breaches

The Pre-school will make all reasonable endeavour to ensure that there are no personal data breaches.

In the unlikely event of a suspected data breach, we will follow the procedure set out in appendix 1.

When appropriate, we will report the data breach to the ICO within 72 hours. Such breaches in a Pre-school context may include, but are not limited to:

- Safeguarding information being made available to an unauthorised person
- The theft of the Pre-school laptop or iPads containing non-encrypted personal data about children
- Training all staff and committee are provided with data protection training as part of their induction process.

Data protection will also form part of continuing professional development, where changes to legislation, guidance or the Pre-school's processes make it necessary.

3. Monitoring Arrangements

The DPO is responsible for monitoring and reviewing this policy.

This policy will be reviewed and updated if necessary when the Data Protection Bill receives royal assent and becomes law (as the Data Protection Act 2018) – if any changes are made to the bill that affect our Pre-school's practice. Otherwise, or from then on, this policy will be reviewed **every 2 years** and shared with the Committee, parents and carers.

4. Links with Other Policies

This data protection policy is linked to other policies including:

- Freedom of information policy (Including publication scheme)

How long do we retain your data?

We retain your child'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. Your child's learning and development records are maintained by us and regularly shared with you.

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 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 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.

To be reviewed: **September 2020**