

Privacy Notice

Chestnut Playgroup, Cathodeon Centre, Horseheath Road, Linton, Cambridge, CB21 4LU

Chestnut Playgroup is a pre-school based in the United Kingdom.

Data Protection Lead Contact: Chair of the Playgroup Committee

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, the control you have over your personal data and the procedures we have in place to protect it. When we refer to “we”, “us” or “our”, we mean Chestnut Playgroup. This policy does not apply to the practices of companies that we do not own or control, or to people that we do not employ or manage.

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 free 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 details of your child's social worker, child protection plans from social care, and health care plans from health professionals and other health agencies. We may collect this information in a variety of ways. For example, data will be collected from you directly in the Admission form; from identity documents; from correspondence with you; or from health and other 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, home and work phone numbers, email address, emergency contact details, and family details

This information will be collected from you directly in the Registration and/or Admission Form(s). It will also be collected on the Universal '15' hours funding claim form from the Local Authority if you wish to claim this funding.

If you apply for the Extended (up to) '30' hours free 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.

* Please note that if this information is not provided, then we cannot claim this funding for your child.

If you apply for EYPP, we will also collect:

- your national insurance number, which is required in order to apply for this funding.

Chestnut Playgroup collects personal information whenever a user chooses to contact us via the web form within the “contact us” section of our website, including name and email address in order for us to contact you.

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 the playgroup

- 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 free childcare and early education (where applicable)
- to enable us to respond to any questions you ask
- to keep you updated with information about the playgroup
- to keep you updated about information which forms part of your contract with us
- to notify you of service changes or issues
- to send you our parentmails, if you have subscribed and/or if you are a child's primary contact/caregiver

With your consent, we will also record your child's activities for their individual learning record. This may include photographs and videos. We will seek your written consent prior to your child starting playgroup for possible use of any images of your child for training, publicity or marketing purposes. You will have the opportunity to withdraw your consent at any time, for images taken by confirming so in writing. You can also unsubscribe from receiving our 'parentmails' at any time by notifying the playgroup in writing.

With your consent we also collect your child's ethnicity and religion data for monitoring purposes.

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

As a registered early years provider in order for the playgroup to deliver childcare services we will also share data about you and/or your child as required or necessary with the following categories of recipients:

- Ofsted – during an inspection or following a complaint about the playgroup
- banking services to process chip and pin and/or 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), if applicable
- 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 law enforcement agency, by a court or the Charity Commission;
- to enforce or apply the terms and conditions of your contract with the playgroup;
- to protect your child and other children; for example by sharing information with medical services, social care or the police;
- to support your child's development, we may share data with other professionals such as speech and language therapists, specialist teachers and educational psychologists who may become involved with the child;
- if it is necessary to protect the rights, property or safety of the playgroup, other children, staff or third parties;
- if 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 take the security of your personal data seriously. We protect unauthorised access to your personal data and prevent it from being lost, accidentally destroyed, misused, or disclosed. We do this by keeping records stored in accordance with our *Children's Records* and *Provider Records* policies, and by adhering to our policies on *Confidentiality and Access to Records*, *Information Sharing*, *Transfer of Records* and *Working in Partnership with Other Agencies*.

Where we engage third parties to process personal data on our behalf, they are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

Where Do We Store Your Data?

All data you provide to us is stored on secure computers or servers located within the UK or European Economic Area. We may also store paper records in locked filing cabinets.

Our third party data processors will also store your data on secure servers which may be situated inside or outside the European Economic Area. They may also store data in paper files.

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 the playgroup, or until our next Ofsted inspection after your child leaves the setting. Medication records and accident records are kept for longer according to legal requirements. Funding claim forms may be required to be retained for longer as requested by the Local Authority. Your child's learning and development records are maintained by the playgroup and handed to your child's school when they leave, or to you if the child will not be attending school imminently.

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). We will keep your data for as long as is necessary to fulfil the purposes it was collected for and in line with data protection laws.

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 the personal data we hold about you and/or your child
- 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; or where you wish to withdraw consent
- 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 please contact us by email, telephone or at the setting.

How To Ask Questions About This Notice

If you have any questions, comments or concerns about any aspect of this notice or how we handle your data please contact us.

How To Contact The Information Commissioner Office (ICO)

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, and we reserve the right to change this policy at any time. You will be notified of any changes where appropriate.

The General Data Protection Regulation (GDPR) and Data Protection Act 2018

The General Data Protection Regulation (GDPR) and the Data Protection Act 2018 introduce new elements to the data protection regime, superseding the Data Protection Act 1998. Practitioners must have due regard to the relevant data protection principles which allow them to share personal information.

The GDPR and Data Protection Act 2018 place greater significance on organisations being transparent and accountable in relation to their use of data. All organisations handling personal data need to have comprehensive and proportionate arrangements for collecting, storing, and sharing information.

The GDPR and Data Protection Act 2018 do not prevent, or limit, the sharing of information for the purposes of keeping children and young people safe.

To effectively share information:

- all practitioners should be confident of the processing conditions, which allow them to store, and share, the information that they need to carry out their safeguarding role. Information which is relevant to safeguarding will often be data which is considered ‘special category personal data’ meaning it is sensitive and personal
- where practitioners need to share special category personal data, they should be aware that the Data Protection Act 2018 includes ‘safeguarding of children and individuals at risk’ as a condition that allows practitioners to share information without consent
- information can be shared legally without consent, if a practitioner is unable to, cannot be reasonably expected to gain consent from the individual, or if to gain consent could place a child at risk.
- relevant personal information can be shared lawfully if it is to keep a child or individual at risk safe from neglect or physical, emotional or mental harm, or if it is protecting their physical, mental, or emotional well-being.

The UK GDPR sets out seven key principles:

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Integrity and confidentiality (security)
- Accountability

Therefore personal data shall be:

- processed lawfully, fairly and in a transparent manner in relation to the data subject
- collected for specified, explicit and legitimate purposes and not further processed in a manner that is not compatible for these purposes
- adequate, relevant and necessary in relation to the purposes for which they are processed
- accurate, and where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purpose for which they are processed, are erased or rectified without delay
- kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed
- processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures (“integrity and confidentiality”) Article 5 of the General Data Protection Regulations (2018)

GDPR enables information to be shared lawfully within a legal framework. The Data Protection Act 2018 balances the right of the person about whom the data is stored with the possible need to share information about them.

The Data Protection Act 2018 contains “safeguarding of children and individuals at risk” as a processing condition enabling “special category personal data” to be processed and to be shared. This allows educators to share without consent if it is not possible to gain consent, if consent cannot reasonably be gained, or if gaining consent would place a child at risk.

Legal Framework

- The UK General Data Protection Regulations (UK GDPR) and Data Protection Act 2018
- Human Rights Act 1998
- The Information Commissioner’s Office (ICO) website - <https://ico.org.uk/>

Notice adopted: May 2018

Last reviewed: December 2023

Signed:

Name: Kerri Westlake

Position: Chair