

GDPR Policy

The General Data Protection Regulation or GDPR came into effect from 25th May 2018. This replaced the Data Protection Act of 1998.

At Tilbury Nursery we are required to identify any data that we hold on the nursery children and their families and ensure that it is received and held in line with the privacy principles of the GDPR.

TILBURY NURSERY'S PRIVACY NOTICE POLICY

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.

The principles of holding data are that the reason for doing so is

- Fair-reasonable to collect
- Transparent - to be used for the reason that it was collected for
- Lawful

To be lawful (at least) one of the following conditions must apply:

- that consent (clear, demonstrable, freely given, easy to withdraw and unambiguous) has been obtained
- that holding the data forms part of the purposes of a contract with the individual
- that holding the data is a legal obligation you have
- that holding the data is part of the vital interest of your group
- that you holding the data is in the public interest
- that you holding the data is necessary for legitimate interests without prejudice

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, details of any accidents and incidents that your child has been involved in at nursery or injuries your child may have on entry to nursery.

Where applicable we will obtain child protection plans from social care and health care plans from health professionals. Reports and advice from any other external agencies, such as speech therapists and paediatricians. 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 names and ages of your child and their siblings. This information will be collected from you directly in the registration form.

If you apply for 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.

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 nursery
- 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 free childcare (only where applicable)
- to keep you updated with information about our nursery

With your consent we will also record your child's activities for their individual learning record. This may include photographs. 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 nursery
- 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)
- 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 new management so they may continue the nursery 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:

Data is stored on the nursery laptops which are password protected and in paper form in files held by the Manager and key persons.

How long do we retain your data?

We retain your child's personal data for up to 3 years after your child no longer attends our nursery, or until our next Ofsted inspection after your child leaves our nursery. 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 handed to you when your child leaves.

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. [Or explain details if this is the case.]

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 the Nursery Manager or the Deputy Manager. If you continue to have concerns about the way your data is handled and remain dissatisfied after raising your concern with the nursery, you have the right to complain to the Information Commissioner's 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.

This policy was adopted at a meeting of Tilbury Nursery Management Committee

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| held on | <hr/> | (date) |
| Date to be reviewed | <hr/> | (date) |
| Signed on behalf of the Management Committee | <hr/> | |
| Name of signatory | <hr/> | Mr Frank Palmer |
| Role of signatory | <hr/> | Chair of Management Committee |

