



Data Protection Policy

All information about children and families is kept securely and treated in confidence. Information will only be shared if the parents/guardians give their permission or there appears to be a child protection issue, please refer to the 'Safeguarding Children' policy for full details. All details will be kept confidential and records are kept securely. The details are easily accessible if any information is required for inspection by Ofsted and parents have free access to the developmental records kept about their child (ren), but not about any other children.

All written records will be kept securely and only made available to those who have a legal and professional right to see the records. We maintain a record of parent(s)' and other nominated carers emergency contact details, the contact details of the child's GP and appropriate signed consent forms in the registration documents.

All information will be kept confidential and will not be disclosed without the parent(s)' consent, except as required by law. For example, this could happen if there appears to be a child protection issue. If a child is identified as a Child in Need (section 17 of the Children Act 1989) we will, normally with the parent's permission, give appropriate information to referring agencies (please see the 'Safeguarding Children' policy for more information). Ofsted may request to see records at any time.

Parents have the right to inspect all records about their child, a written request is required for personal files and data protection rules will be taken into account if any records refer to third parties.

All accidents are recorded in an accident form which is stored securely and parents are asked to sign to confirm they have been made aware of the accident. If the person collecting the child after an accident is not their primary carer a copy of the accident form will be sent with the child or emailed to the parent(s).

All significant incidents are recorded, shared and discussed with parents so that together we can work to resolve any issues. We consider it vitally important to respect your, your child's, and your whole family's privacy, and would request the same respect regarding the pre-school and all the children, families and staff involved.

We are registered with the Information Commissioner's Office (ICO) as a data controller and this enables us to keep us up to date with Data Protection information and training.

Privacy Notice

In line with updates to Data Protection Legislation which came into effect on 25th May 2018 this section aims to inform you of the ways in which we collect, process and store data and the lawful bases for doing so. Data protection is extremely important and under the guidance of the Information Commissioner's Office (ICO) we will ensure that the data you provide will be processed fairly and transparently and in accordance with the new General Data Protection Regulation (GDPR). This privacy notice applies to the data held relating to all children at Apple Blossom Nursery.

What data do we require?

Upon registration, as a minimum requirement we must have the following:

- Child's full name
- Child's date-of-birth
- Child's address/s
- All parents/legal guardians names
- All parents/legal guardians addresses
- Information about who has parental responsibility
- Who the child normally lives with
- Emergency contact details for all parents/guardians
- Relevant medical information including allergies, dietary requirements and special health needs
- Special educational needs and/or disabilities

In addition, we ask for the following optional information:

- Preferred names
- Additional languages spoken at home
- Religion
- Significant cultural celebrations to include at pre-school
- Ethnicity

During attendance at Apple Blossom Nursery the following information is collected:

- Details of accidents that occur in the setting (see Accident Policy)
- Details of incidents that occur in the setting (see Incident Policy)
- Attendance record
- Records of skills and learning achieved in relation to the Early Foundation Stage (EYFS).
- Child Protection, Child Welfare or Existing Injury Concerns (see Safeguarding Policy).

How is the data used?

Children's personal data is used to monitor the number and ages of children in the setting during different sessions and enables us to provide adequate and appropriate supervision. Where specific medical or special needs are identified, this can inform staff training and any additional resource needs, including funding.

Parental/guardian data is used as a legal record of responsibility for the children and provides a means of contact when children are in our care should the need arise. Additional contact names and telephone numbers are kept in case of emergency or when the parents/guardians are not contactable.

Whilst at Apple Blossom nursery, children follow the Early Years Foundation Stage curriculum and they are regularly assessed against the standards and criteria set for their learning and social development. This data is used to support the child socially and emotionally, assess and record skills learned, identify next steps in development and show progress over time. This data is also used to monitor and assess the quality of our service. In some circumstances, this data may be used to identify when extra provision may be needed to further support a child. This would be discussed fully with parents/guardians as appropriate.

The data relating to the child's assessment and development is passed on with the child when they progress to primary school.

Optional information is gathered relating to the child's cultural and religious background in order to help staff plan inclusive activities and aid the child's learning and development. In addition, this helps to build positive relationships between the child and their peers as well as with staff.

How is the data NOT used?

The data collected about children's progress and development is not used to classify or pigeonhole the child in any way.

Who is in control of the data?

Once received, the data we process is under the control of Apple Blossom Nursery, which is managed by Caroline Daniel. The manager has all decision-making responsibility with regard to data processing but these are informed by the legislative policies and procedures of the ICO and the GDPR.

What is the lawful basis for processing this data?

As detailed in Article 6 of the General Data Protection Regulation, all data must be processed in line with a relevant lawful basis.

Some information about children is processed under the lawful basis of 'Consent'. Lawful consent requires an individual to give clear consent for data to be processed for a specific purpose. This includes consent for photos to be taken, visits to the library, welly walks etc. In order to obtain consent or conversely to indicate clearly that consent is not given, a form must be completed by parents/guardians prior to each child attending pre-school. Consent must be given in writing but can be withdrawn at any time by giving the correct notice as detailed on the Consent Form.

Personal information about children and parents/guardians is processed under the lawful basis of 'Legal obligation'. This means that the processing of certain information is necessary in order to comply with the law and therefore it must be accurate and updated regularly. The following is a list of the data we are legally required to process in accordance with the Statutory Framework for the Early Years Foundation Stage (Department for Education, April 2017).

- Child's full name (verified by birth certificate upon registration).
- Child's date-of-birth (verified by birth certificate upon registration).
- Name and address of every parent/guardian.
- Name of any other person who has parental responsibility for the child.
- Details of the parent/guardian the child normally lives with.
- Emergency contact details for parents/guardians.
- Child's medical needs including allergies and their need for any medicines. A written record must be kept of any medicine administered in the setting.
- Child's special dietary requirements including food allergies and special health requirements.
- Written/electronic accident and injury forms detailing incidents and any first aid given to a child. This will be shared with parents/guardians of the child.
- Data pertaining to a child's safety and/or any specific needs that are identified must be available to share with parents/guardians, social services, the police, Ofsted and any other relevant professional bodies working with the child.

Who do we share data with?

We routinely share data with the following organisations:

- Schools that children attend after they leave us.
- Wiltshire County Council
- The Department for Education (DfE)
- The Rise Trust Children's Centres
- Other settings/childminders children attend whilst with us
- Ofsted
- In some circumstances, data will also be shared with the following service providers:

- Police
- Social Services
- Educational Psychologists
- Health Visitors
- Early Years Advisory Teachers/Inclusion Officers
- Occupational Therapists
- Speech Therapists

Why do we share data?

We share data with the Department for Education on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

Data is sometimes shared with outside agencies in order to assess and meet the individual needs of children and their families. This is done in accordance with the Statutory Framework for the Early Years Foundation Stage. Where appropriate, the sharing of data will be discussed with parents/ guardians and all data is shared securely.

We do not share information about children and their families with anyone without consent unless the law and our policies allow us to do so.

How is the data updated?

The personal data we hold will be regularly updated as and when relevant information changes. Forms requesting certain information will be gathered at registration, including key personal data and consent. Important information about medical needs and emergency contact details will also be collected. You can contact us at any time in writing to amend or add to this information.

How long will we keep the data?

Children's records, including registers, medication records, and accident forms are kept securely until the child reaches 21 years of age or 24 years where child protection issues are relevant. This is in line with recommendations under the Limitation Act 1980.

Personal data will never be kept longer than is necessary.

How will we destroy the data when we no longer need it?

Personal data will be disposed of securely via confidential waste services or shredders.

What is consent in relation to 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.

You will receive a separate Consent Form to complete in which you can indicate clearly what you do and do not consent to. This will include information such as whether you are happy for your child to have photographs taken during Nursery activities. We will tell you how the information we request will be used so that you can make an informed choice.

Can you withdraw consent?

We will keep a record of when and how consent was given and it will be reviewed at regular intervals to keep it up-to-date and to assess whether the need for the data has changed.

You can withdraw consent easily at any time by contacting Caroline Daniel emailing admin@appleblossomnursery.co.uk. All requests for withdrawals will be acted on as soon as possible and there will be no penalties for doing so.

What are your rights in relation to this data?

An individual has several rights in relation to data that is processed about them. These are:

- To be informed of the collection and use of data relating to them.
- To have access to their personal data.
- To have inaccurate or incomplete personal data rectified.
- To have personal data erased under certain circumstances.
- To restrict or suppress the processing of personal data in certain circumstances.
- To obtain and reuse personal data for their own purposes.
- To object to data processing based on legitimate interests or the performance of tasks in the public interest, direct marketing and for the purpose of research and statistics.
- To not be the subject of automated decision-making processes i.e. those that do not involve any human involvement.

Please visit the ICO website for more detailed information <https://ico.org.uk>

What happens if someone gains access to the data without permission?

All of the personal data we store is done so securely and access is restricted and monitored. A breach of this data includes accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data. This could be accidental or deliberate.

To insure against breaches of personal data, particularly those from cyber-attacks, we are covered by Preschool Learning Alliance insurance.

Should such a breach of data occur, it will be reported to the Information Commissioner's Office (ICO) within 72 hours where feasible. If there is a high risk of adversely affecting an individual's rights and freedoms, they will also be informed as soon as possible.

A record will be kept of all personal data breaches.

Can you request to see data?

You are legally entitled to request access to information we hold about you and your child/children. To make a request for personal information please contact the manager Caroline Daniel in writing. We will respond to your request within 1 month.

Who do you contact if you have concerns about data protection?

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Please contact the manager, Caroline Daniel. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>.

Contact

If you would like to discuss anything in this privacy notice, please contact: **Caroline Daniel – Manager.**