

## Privacy Notice - How we use children's information

### Why do we collect and use children's information?

Fennies Day Nurseries will record, process and keep personal information on you and your child in accordance with Article 6 – 'the rights of data subjects' under the Data Protection Act 1998 and Article 9 – 'processing of special categories of personal data' under the GDPR - from May 2018

We use this data to:

- Support children's learning
- Make assessments on children's development
- Safeguard the children in our care in accordance with relevant legislation
- Comply with Government legislation
- Assess the quality of our services

Fennies Day Nurseries – **NAME OF SETTING** collect, hold and share two kinds of records on children attending our setting.

#### *Developmental records*

These include:

- Developmental information collected prior to the child starting at the setting
- A copy of the child's Two Year Old Progress Check
- Observations of children in the setting, photographs, video clips, samples of work and developmental assessment records.
- A summary of the child's EYFS profile report.

#### *Personal records*

These include:

- Personal details – including the information provided on the child's registration form and any consent forms and characteristics such as ethnicity, language and nationality.
- Contractual matters – including the child's days and times of attendance, a record of the child's fees and/or funding entitlement, any records of fee reminders and/or disputes
- Emergency contact details – including those people, other than parents/guardians with authorisation to collect the child from the setting.
- Children's health and well-being – including discussions about every day matters regarding the health and well-being of the child with the parent/guardian, records of accidents and medication records.
- Safeguarding and child protection concerns – including records of all welfare and protection concerns and our resulting actions, meetings and telephone conversations about the child and any information regarding a Looked After Child.
- Early support and SEN – including any focussed intervention provided by our setting, a record of the child's IEP and, where relevant, their Statement of Special Education Need.

- Correspondence and reports – including letters and emails to and from other agencies and any confidential reports relating to specific children

### **Collecting information**

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.

### **Storing children’s data**

We ensure that access to children’s files is restricted to those authorised to see them such as the Nursery Manager, Deputy, designated safeguarding lead, the child’s key person or the setting Special Educational Needs Coordinator. These confidential records are stored [ENTER LOCATION]

We retain children’s records for three years after they have left the setting, except records that relate to an accident or child protection matter. These are kept until the child reaches the age of 21 years or 24 years respectively.

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

### **Sharing information**

The information that you provide to us, whether mandatory or voluntary, will be regarded as confidential. We do not share information about your child with anyone without consent unless the law and our policies allow us to do so.

We routinely share information without consent with:

- Schools that children attend after leaving us
- Our local authority for the purposes of FFEE and the Early Years Census
- The Department for Education (DfE) as part of statutory data collections.

We are obliged to share confidential information without authorisation from the person who provided it, or to whom it relates, when:

- There is evidence that the child is suffering, or is at risk of suffering significant harm.
- There is reasonable cause to believe that a child may be suffering, or is at risk of suffering, significant harm
- It is to prevent significant harm arising to children, young people or adults, including the prevention, detection and prosecution of serious crime.

Further information regarding information sharing and confidentiality can be found in our Data Protection, Data Retention and Data Protection Breach Reporting policies.

### **Requesting access to your personal data**

Under data protection legislation, parents/guardians, children and young people have the right to request access to information about them that we hold. Where a child is too young to give ‘informed consent’ the parent is the ‘subject’ of the file and has a right to see the information held.

Children’s developmental records are shared regularly with parents/guardians and formal requests to access these is not required.

To make a request for your personal information contact the Nursery Manager in the first instance who will liaise with the Head of HR who is the company’s Data Protection Officer.

You also have the right to:

- Object to processing of personal data that is likely to cause, or is causing, damage or distress
- Prevent processing for the purpose of direct marketing
- Object to decisions being taken by automated means
- In certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- Claim compensation for damages caused by a breach of the Data Protection regulations

If you would like to discuss anything in this privacy notice, please contact the Nursery Manager

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner’s Office at <https://ico.org.uk/concerns/>

Internal use only

<b>This notice was adopted on</b>	<b>Signed on behalf of the nursery</b>	<b>Date disseminated to staff</b>	<b>Date for review</b>
<i>June 2019</i>			<i>June 2020</i>