

Privacy Notice for Nettlestead and Wateringbury Preschool and Out of Schools Club



This notice explains what personal data (information) we hold about you, how we collect, how we use and may share information about you. We are required to give you this information under data protection law.

Nettlestead and Wateringbury Preschool and Out of Schools Club (NWPS) collects, uses and is responsible for certain personal information about you and your child/ren. When we do so we are regulated under the General Data Protection Regulation. We are responsible as 'controller' of that personal information for the purposes of those laws.

The personal information we collect and use

Information collected by us

In the course of providing education and care we collect the following personal information about you and your child/ren, when you provide it to us:

- Personal information, such as name, date of birth, gender, home address and postcode, health and relevant medical information, care and development needs
- Special category characteristics, such as special educational needs (SEN) information and ethnicity
- Parents/Carers Information, such as name, date of birth, National Insurance number, or unique taxpayer reference(UTF) if you are self-employed or National Asylum Support Service Number, home address, phone numbers, email address, emergency contact details and family details.
- We may also collect information regarding benefits and family credits that you are in receipt of.
- Financial eligibility information, such as 30 hours codes
- Attendance information, such as sessions attended, number of absences and absence reasons

With your permission we also obtain personal information from other sources as follows:

- Health Visitors
- Paediatricians/Consultants
- Portage
- Kent County Council – Social Care, Early Help and Preventative Services, Early Years Specialist Teaching Services
- Other settings, including schools and early years settings your child may attend.

Why we collect this information and how we use your personal information (legal basis for handling your data)

We use personal information about you and your child to provide childcare services and fulfil the contractual arrangement you have entered into. This includes using your data to:

- Contact you in case of emergency
- Provide appropriate pastoral care and support services to children to ensure their wellbeing and development
- Manage any special educational, health or medical needs of your child whilst at our setting
- Carry out regular assessment of your child's progress and to identify areas of concern
- Maintain contact with you about your child's progress and respond to any questions you may have
- Keep you updated with information about our services and activities
- Check and calculate free entitlement/provide funding
- Manage childcare voucher payments (Sodexo, Computershare)
- Provide advice, support and guidance to the setting
- Enable financial and policy compliance checks of the setting
- Assess and improve the quality of our services
- Comply with the law regarding data sharing
- Safeguard children
- Gift aid purposes

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 in writing.

We have a legal obligation to process safeguarding related 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).

How long your personal data will be kept

We will hold financial information securely and retain it for 7 years, after which the information is archived or securely destroyed.

We will hold your personal information securely and retain it from the child /young person's date of birth until they reach the age of 25, after which the information is archived or securely destroyed.

Reasons we can collect and use your personal information

We collect and use personal information to comply with our legal obligations under section 537A of the Education Act 1996, section 83 of the Children Act 1989, and to carry out tasks in the public interest. If we need to collect special category (sensitive) personal information, we rely upon reasons of substantial public interest (equality of opportunity or treatment).

Who we share your personal information with

- Department for Education (DfE) (statutory for early years funding and policy monitoring)
- Kent County Council Management Information & Finance, including 30 hour eligibility checker (to provide funding)
- Other local authorities, or other early years settings, to resolve duplicate claims and funding queries
- Kent County Council teams working to improve outcomes for children and young people
- Commissioned providers of local authority services (such as education services)
- Local multi-agency forums which provide SEND advice, support and guidance (such as Early Years Local Inclusion Forum Team (EY LIFT))
- Schools that children attend after leaving us
- Partner organisations signed up to the Kent & Medway Information Sharing Agreement, where necessary, which may include police, school nurses, doctors and mental health workers and Kent Community Health NHS Foundation Trust
- Contracted providers of services (such as external photographers and catering providers) where consent has been given
- Ofsted – during an inspection or following a complaint about our service
- Banking services to process payments (where applicable)
- Our insurance underwriter
- Our setting software management provider

We will also share your personal information:

- With law enforcement or other authorities if required by applicable law
- 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
- If necessary, to protect our, or others rights, property or safety

We will never share your data with other organisation to use for their own purposes.

The National Pupil Database (NPD)

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information

About Individual Pupils) (England) Regulations 2013.

The NPD is owned and managed by the DfE and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the DfE. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

The DfE may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The DfE has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

Your Rights

Under the GDPR you have rights which you can exercise free of charge which allow you to:

- Know what we are doing with your information and why we are doing it
- Ask to see what information we hold about you (Subject Access Request)
- Ask us to correct any mistakes in the information we hold about you
- Object to direct marketing
- Make a complaint to the Information Commissioners Office
- Withdraw consent (if applicable)

Depending on our reason for using your information you may also be entitled to:

- Ask us to delete information we hold about you

- Have your information transferred electronically to yourself or to another organisation
- Object to decisions being made that significantly affect you
- Object to how we are using your information
- Stop us using your information in certain ways

We will always seek to comply with your request however we may be required to hold or use your information to comply with legal duties. Please note: your request may delay or prevent us delivering a service to you.

For further information about your rights, including the circumstances in which they apply, see the guidance from the UK Information Commissioners Office (ICO) on individuals' rights under the General Data Protection Regulation.

If you would like to exercise a right, please contact Nisha Reed or Kay Severn. Email: enquiries@nwps.org.uk Contact: 01622 813120.

Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

Who to Contact and Where to go for Further Information

Please contact Nisha Reed or Kay Severn to exercise any of your rights, or if you have a complaint about why your information has been collected, how it has been used or how long we have kept it for.

If you would like to get a copy of the information about you that KCC shares with the DfE or how they use your information, please contact the Information Resilience and Transparency Team at data.protection@kent.gov.uk.

Changes to this notice

We keep this notice under regular review. You will be notified of any changes where appropriate.

For more information about services for young children, please go to:

<http://www.kent.gov.uk/education-and-children/childcare-and-pre-school> or the KCC website at www.kent.gov.uk

The General Data Protection Regulation also gives you right to lodge a complaint with a supervisory authority. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns> or telephone 03031 231113.

For further information visit <https://www.kent.gov.uk/about-the-council/about-the-website/privacy-statement>

For further information about how the Department for Education uses your information:

To find out more about the pupil information we share with the DfE, for the purpose of data collections, go to <https://www.gov.uk/guidance/early-years-census>

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

For more information about the DfE's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact DfE: <https://www.gov.uk/contact-dfe>

This policy was adopted at a meeting of NWPS

Held on

Date to be reviewed

May 2024

Signed on behalf of the provider

Name of signatory

Role of signatory (e.g. chair, director or owner)

Chair