



# Eastlea Community Centre

Stockton Road, Seaham, County Durham, SR7 8DX

Children, Young People & Family Services



## Tots 'R' Us Nursery

### Privacy Notice

Last Updated: 13<sup>th</sup> January 2020

Eastlea Community Centre – A Registered Charity: 1160391

Ofsted Registered Nursery: EY489173

# Privacy Notice for Tots 'R' Us Nursery

## Who are we?

Eastlea Community Centre, (hereinafter called the 'CIO' – (Charitable Incorporated Organisation)) is the Data Controller. This means deciding what personal information is collected and how your personal data is processed and for what purposes. Tots 'R' Us Nursery is operated by the CIO.

## Personal data – what is it?

Personal data relates to a living individual (the data subject) who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. The processing of personal data is governed by the current Data Protection Act and the new General Data Protection Regulation (GDPR) which comes into force on 25th May 2018.

## How do we gather personal data about families and staff?

We collect information from you and may receive information about you from your previous setting or education provider, local authorities, the Department for Education (DfE) and other relevant bodies.

A great deal of the information we collect is included on our admission/registration/consent paperwork, which, when you opt in and sign, gives us your permission to process the data. In addition we collect information on progress summary checks, national curriculum assessment results, attendance, learning progress, medical issues, safeguarding and special educational needs and disabilities (SEND). We also gather information from you through:

- Telephone enquiries
- Registering a place at Nursery
- Your child's individual Care Plan (where applicable)
- Medical and Accident Records
- Daily register of attendance
- Reports from third parties - your child's other pre-school setting, other professionals involved in your child's care and development e.g. Speech and Language therapy, Health Visitor and Children's Social Care
- Job application forms
- Contracts of employment and safer recruitment checks
- Staff qualifications and training records
- Photographs and observations of children's learning
- CCTV of CIO car park, outdoor areas and corridors
- The processing of claims for eligible children's government funding

## How do we process your personal data?

The CIO seeks to comply with its obligations by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining unnecessary personal data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data, including where we use third party data processors (e.g. staff payroll).

We use your personal data for the following purposes:

- Create and maintain our admission register
- Monitor and report on academic progress
- Assess how well we, as an education provider, are doing
- Co-operate with educational authorities and external partners to improve the well-being of children including under "Working Together to Safeguard Children" (2018)

- Share data with professional health service providers as necessary
- Send pupil information to Durham County Council to enable the local authority to meet its duty under data protection legislation, to ensure that the data it holds is accurate and carry out its official functions in the public interest
- To claim government funding for eligible children
- To maintain our accounts and legal records
- To inform you of news, events, activities and services the Nursery provides
- To manage and care for our employees and volunteers
- Names, addresses, telephone numbers and e-mail addresses of parents, potential parents and others who are authorised to collect children
- Name, address and date of birth for potential children and children attending Nursery
- Staff recruitment process, qualifications, ID check, staff address, email and telephone numbers plus their emergency contact address and telephone numbers
- Support our teaching and learning
- Children's learning and development records including copies of reports, photographs, observations and assessments
- Accident and medicine records
- Children's attendance records
- Allergy/dietary/medical information for children and staff

### What is the lawful basis for processing data?

The lawful basis for processing are set out in Article 6 of the GDPR. At least one of these must apply whenever you process personal data:

- **Consent:** the individual has given explicit consent so that we can process their personal data for a specific purpose, for example: to be kept informed about news, events, activities and services, parental consent for data relating to children under the age of 16
- **Contract:** the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract, for example: registering with the Nursery, becoming an affiliated group, hire of hall, CIO membership to a particular activity
- **Legal obligation:** the processing is necessary to comply with the law (not including contractual obligations), for example: carrying out our legal obligations under employment, taxation, social security or social protection law
- **Vital interests:** the processing is necessary to protect someone's life
- **Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law, for example: health and safety
- **Legitimate interests:** the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This cannot apply if you are a public authority processing data to perform your official tasks). For example: the processing of claims for eligible children's government funding

### Sharing your personal data

Your personal data will be treated as strictly confidential and will only be used for the above purposes. We will not sell, rent or share your information with third parties for sales or marketing purposes within the CIO. We may share information with third party service providers with whom we work as part of providing our services, however, we will only disclose the personal information necessary for the provision of that service where you have consented for us to do so or where we are required to do so by law.

We do not give access to third parties without prior written consent from you. The only exception to this would be if we considered that there would be a safeguarding risk to your child if we were not to do so. In this situation we have a duty of care to put children's safety first.

## How long do we keep your personal data?

We keep your personal data for no longer than is legally or reasonably necessary in order to carry out the stated data processing purposes and for subsequent historical or statistical purposes.

## Your rights and your personal data

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data:

- **Right to be Informed** - The right to know how and why personal data is being collected, stored and processed
- **Right of Access** - The right to know what personal data is recorded, by whom and why. The right to request a copy of it
- **Right to Rectification** - The right to request that the Nursery corrects any personal data if it is found to be inaccurate or incomplete
- **Right to Erasure** (right to be forgotten) - The right to request your personal data is erased where it is no longer necessary for the Nursery to retain such data
- **Right to Data Portability** - The right to obtain and reuse personal data for your own purposes across different services. It allows the movement, copy or transfer of personal data easily from one IT environment to another in a safe and secure way, without affecting its usability
- **Right to Restrict Processing** - The right to request the Nursery to stop processing personal data if you object to the accuracy or purpose the Nursery is using it for
- **Right to Object** - The right to object to the processing of personal data, (where applicable) [Only applies where processing is based on legitimate interests, direct marketing or for the purposes of scientific/historical research and statistics]
- **Right to Challenge Automated Decision Making and Profiling** - This applies if any of the Nursery's processing operations constitute automated decision making, if so, individuals would have the right not to be subject to a decision and must be able to obtain human intervention, express their point of view, and obtain an explanation of the decision and challenge it. The right does not apply if the automated decision is a contractual necessity between you and the person, if it's authorised by law, or if based on explicit consent

## Further processing

If we wish to use your personal data for a new purpose, not covered by this Data Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

## Contact Details

To exercise all relevant rights, queries or complaints in the first instance please contact the Nursery Manager on 0191 5182399.

You can contact the Information Commissioner's Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at:

Information Commissioner's Office  
 Wycliffe House  
 Water Lane  
 Wilmslow  
 Cheshire  
 SK9 5AF