

10.16 Privacy notice

Cuckoo Meadow Pre-School's Privacy Notice

Cuckoo Meadow Pre-School
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Website – www.cuckoomeadow.org

Data Protection Officers – Jo Harman and Fiona Cotterell

Introduction

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.

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 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

Where applicable we will obtain Child Protection Plans from social care and health care plans from health professionals.

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 family details

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 to provide childcare services and fulfil the contractual arrangement you have entered. 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 [my/our] setting
- 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 service

With your consent, we will also record your child's activities for their individual learning record. This may include photographs and videos. You will have the opportunity to withdraw your consent at any time, for images taken by confirming so in writing. We use an online learning journal called Tapestry to record all our observations relating to your child's learning development, should you withdraw consent then your child's entire learning developmental record will be deleted, and you will no longer have access to your child's Tapestry records.

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?

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 service
- banking services to process all direct debit payments through our bookkeeper and accountant
- the Local Authority (where you claim up to 30 hours free childcare as applicable)
- the government's eligibility checker (as above)
- our insurance underwriter
- our setting software management provider (Tapestry)

- the school that your child will be attending
- our bookkeeper
- Charity Commission
- External Agencies – upon written consent (relating to additional needs), liaison with, for example: Portage, Speech and Language Therapists, Psychologists, Paediatricians and GPs.

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 rights, property or safety
- we transfer the management of the setting, in which case we may disclose your personal data to the prospective buyer, so they may continue the service 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:

Keeping all documents in a locked cupboard, performing regular backups and ensuring all 3rd parties provide us with their GDPR policies and procedures, as well as their privacy notices.

How long do we retain your data?

We retain your child's personal data for up to 3 years after your child no longer uses our setting, or until our next Ofsted inspection after your child leaves our setting. 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. All Tapestry records are deleted permanently when a child leaves our setting.

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).

Social Media

We operate a Facebook page, for parents and staff, which is as an information tool with weekly updates about the pre-school and this includes photos of your children. The page is at the highest level of Facebook security – Secret Level - which means only members can find the group and see posts. To become a member, we invite you at the beginning of your child's time with us and you then have the option to join or not. You are welcome to opt out at any time should you decide not to be part of the Facebook group. When your child leaves the setting, you will be deleted from the system; however some photos/posts relating to your child may remain on the system.

On occasion the setting holds events such as the Nativity; we also have visitors to the setting such as Zoolab, Rugby Tots, Caterpillar Music and other educational agencies. We may take photos of these activities for the children's learning and development journals. Due to the social nature of these activities, where parents and families may attend to watch their children, they may take individual photos of their own children to post on social media but must ensure they do not include other children.

Automated decision-making

We do not make any decisions about your child based solely on automated decision-making.

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 us. If you continue to have concerns about the way your data is handled and remain dissatisfied after raising your concern with us, you have the right to complain to the Information Commissioner 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 and this policy will be updated annually at the very least. You will be notified of any changes where appropriate.

Legal Framework

- General Data Protection Regulations (GDPR) 2018
- Human Rights Act (1998)
- Freedom of Information Act (2000)
- Children Act (1989)

Further guidance and information

In relation to safeguarding and welfare requirements in terms of information and records, please see our complete policies and procedures including -

- Working in partnership with other agencies
- Confidentiality and client access to records
- Transfer of records to school
- Provider records
- Children's records

This policy was adopted by

*(name of
provider)*

On

(date)

Date to be reviewed

(date)

Signed on behalf of the provider

Name of signatory

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