**Privacy Notice for Parents and Carers Sticky Fish Pre-School**

Personal data relates to a person who can be identified from that data. The processing of personal data is governed by the General Data Protection Regulation (GDPR). As manager of Sticky Fish, I, Liz Tomlinson am the data controller, which means I have oversight of the collection of all personal data. The purpose of this Privacy Notice is to tell you about what information I collect about you and your child when you register with Sticky Fish, how I use that information and with whom I may share that information.

Data Controller: Liz Tomlinson. Tel : 01179584075\_\_\_\_\_\_\_\_\_

1. **What information will I collect about you and your child?**

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| --- | --- |
| **For you (and for a second parent/carer if you provide these details):** | **For your child/ren:** |
| * Name
* Relationship to child
* Who has parental responsibility
* Each parent’s address and contact details including email and phone numbers
* Contact details at work
* The contact details of someone you trust whom I would contact, if for some reason you were not contactable
* National Insurance number \*
* National Asylum Seeker’s Support reference\*
* D of B\*
 | * Full legal surname (derived from family, clan or marital association) of the child\*
* Full given first name of the child\*
* Name child is generally known by
* Date of birth \*
* Gender \*
* Your child’s current address and postal code\*
* With whom the child lives with
* The child’s siblings and significant people in your child’s life
* The name of your child’s GP surgery
* Whether registered with a dentist and up to date with vaccinations
* Ethnicity \*
* Religion
* Language/s spoken at home.
* Whether your child has any Special Educational Needs or Disability and if so, details.\*
* Number of hours attended that are funded by the local authority, universal and extended \*
* Child’s 30hour code\*
* Number of private hours attended that are not paid through the local authority\*
* Your child’s eligibility for Early Years Pupil Premium and the basis for the funding\*
* Your child’s eligibility for Eligible 2-Year-Old funding and the basis for the funding\*
* Whether social care are involved with your family and if so, whether your child is subject to a child protection plan, in care or a child in need and the name of our social worker

\*If you are registered provider of the Free Early Education Entitlement, Bristol City Council return this data to the Department of Education via the Early Years Census and Pioneer. The data for the funding is processed on the lawful basis of ’contractual necessity’ GDPR 6(1)(b). |

1. **What is my lawful basis for processing your child’s data and for what purpose?**

Registered early years settings have a statutory requirement to hold certain basic information about any child attending our pre-school and the name, address and contact details of every parent (Safeguarding and Welfare Requirements, EYFS 2017, 3.72 and Childcare Register CR8). The Safeguarding and Welfare Requirement to hold certain data is given force by an order made under section 39(1)(a) of the Childcare Act 2006, therefore the lawful basis for processing information is ‘legal obligation’ GDPR 6(1)(c) and for special categories of data (such as medical information, special needs and safeguarding) under GDPR 9(2) (a)(b).

There is also a ‘legal obligation’ to record your child’s learning and development (EYFS Learning and Development Requirements given force by section 39(1)(a) of the Childcare Act 2006). The purpose of observing, assessing and planning is to ensure good outcomes for a child based on the child’s own interests, needs and stage of development.

I also hold information on the basis of ‘legitimate interest’ GDPR 6(1)(f) in order to ensure your child’s safety and well-being and to provide a good quality service based on your child’s individual needs.

Photographs are an effective way to illustrate and augment learning. Photographs will be taken with your consent GDPR 6(1)(9a) and for the purpose of informing you of your child’s progress in learning

1. **For how long will I hold your information: retention periods?**

The EYFS (3.71) says that as a provider I should determine myself how long to retain records relating to individual children.

* When your child moves on from my setting I will forward all photographs and learning journals to you and then delete the photos and learning records, in accordance with the advice of the Information Commissioner’s Office
* For the purposes of insurance claims I will retain; the Accident and Incident Log, the Medication Administration Records, the Attendance Register, signed Consent Forms, the Complaints Log and any record of allegations, until your child has reached 21years and 3 months.
* Any record of safeguarding concerns will be forwarded to the next setting/school in line with ’Keeping Children Safe in Education’. If a safeguarding referral to First Response has led or is likely to lead to criminal prosecution, requiring my records as evidence, I would take advice on retaining the record or retaining a copy of the record of my safeguarding concerns (see Goddard Inquiry).
* Any learning records and photographs of a ‘looked after’ child will be passed on to the child’s Social Worker, who usually holds parental responsibility, for retention.
* Where I have shared your data with other Bristol City Council services, for example with regard to the Free Early Education Entitlement or Enhanced Provision Scheme, the general Bristol City Council retention schedule will apply and is available on the Bristol City Council website.
* HMRC financial records will be retained for six years.
1. **How do I use/process information about your child, including photographs?**

The information you have provided will be stored in paper form and electronically either on a password protected laptop which is stored securely within the pre-school, on password encrypted memory sticks, or in a secure locked cabinet (paper form). All records of information on you and your child will be safely stored in this way.

I liaise with you by email/text/ using physical communication record, and by social media (Sticky Fish Facebook page) which is a closed group with privacy settings.

I record your child’s progress through observations and assessment. These are stored securely on encrypted memory sticks and password protected laptop, or securely locked away.

I take photographs and videos using a designated digital camera which is stored in a locked cabinet within Sticky Fish.

1. **Sharing your personal data**

Your personal data will be treated as strictly confidential and will only be shared with a third party in relation to safeguarding concerns, or required by law.

In certain circumstances I may be required to disclose information in relation to safeguarding with the Local Authority Designated Officer, Children’s Social Services/First Response, the police or legal services.

Information about your child’s progress will only be shared with another professional such as a Health Visitor, SENCO, Speech and Language Therapist, Inclusion Specialist, Family Support or Early Help support worker after discussion with you and with your written consent. Liaison with another professional would be to support your child’s learning and development and well-being.

1. **The right to withdraw consent at any time, where relevant:**

You have the right to withdraw your consent where the information I hold is based on your consent, such as in the use of photographs. As I am legally required to hold some essential information on a child in order to operate, if you withdrew consent to my holding all information about your child, the pre-school contract would have to be terminated.

1. **Your rights as the data subject:**

You have the right to request access to your data and where data is found to be inaccurate, to have that data corrected. In certain circumstances you have the right to; have the data held about you or your child erased, have the use of it restricted, object to processing, or have your data transferred to another data controller.

If you change any contact details, such as your mobile phone or your work phone number, please let me know. Likewise, please inform me if an emergency contact should change their contact details.

1. **Access to your information:**

I will keep you updated and informed of your child’s progress and share observation and assessments with you in keeping with the expectation of parent partnership which is described in the EYFS. You can ask to see what information I hold about you and have access to it. There are specific exemptions under which personal information may be withheld, for example if disclosure could cause harm to a child or another individual. You can make a ‘subject access request’ by contacting me in writing.

1. **The right to lodge a complaint with a supervisory authority:**

You have the right to object to the processing of your information and to have any inaccurate information corrected. You also have a right of complaint to the Information Commissioner’s Office (ICO) at [www.ico.org.uk](http://www.ico.org.uk) if you think I have dealt with your information in an inappropriate manner.

Parents/Carers’ signatures\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of writing the Privacy Notice\_\_05.05.2018\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Updated\_\_\_02.02.2021\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_