

## **Privacy Notice**

Written on: 22<sup>nd</sup> April 2018

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To be reviewed: May 2019

Joanne Walker at Jo's Childminding processes personal information and is a 'data controller' for the purposes of Data Protection legislation. It is a requirement of my registration with the Information Commissioners Office (ICO) to provide you with information about the details I keep about you and your child/ren.

This requirement applies to information I collect in relation to online data processing and paper data processing. I collect information from you and may receive information about your child from any previous settings. I record, process and keep personal information about you and your child in accordance with Article 6 of the General Data Protection Regulation (GDPR, May 2018): 'the rights of the data subjects'.

### **Records I hold about you and your child/ren**

I hold 2 different types of records about you and your child: Developmental records and Personal records.

#### Developmental records including:

- Information from you about your child's learning and development prior to attending my setting
- Details provided by you about your child's learning and development at home
- A statutory Two Year Progress Check or a copy of from another setting or health visitor
- Observations of your child's in my care including photographs, video clips, samples of work and developmental assessment records
- Assessments, individual planning and regular progress summaries.

#### Personal records including:

- Personal details required by the statutory frameworks and/or the Local Authority for funding purposes, such as name and address, and the information provided on the child's registration form and any consent forms
- 'Special Category Data' such as ethnicity, language, nationality and country of birth
- Contractual details including permission forms, 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

- Documents for HMRC including invoices
- Attendance information including registers, sessions attended, number of absences and absence reasons
- Emergency details including your contact details, emergency contacts, people who have permission to collect your child. Parents should inform all emergency contacts I have their details.
- 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,
- Accident/incident forms, existing injury forms and medication forms
- Safeguarding forms relating to your child's health and safety child protection records, 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.
- Behavioural information - support for behavioural issues, support plans etc
- 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
- Any records required to support your child such as shared information from other agencies and professionals.
- Local Authority funding forms - parents who are eligible to claim 15 or 30 hours Government funded childcare are required to complete a Local Authority 'Early Years Education Entitlement Parent Declaration' form. This form includes identifiers such as parent names, National Insurance numbers, dates of birth, and the child's personal details and characteristics such as ethnic group.

### **The lawful basis on which we use this information**

I collect, hold and use information about you and your child/ren to allow me to comply with the statutory Early Years Foundation Stage (EYFS, 2017) and the Childcare Register (2016). Some of the data I process relates to the Early Years Inspection handbook (2016). I collect and use personal data in order to meet legal requirements and legitimate interests set out in Article 6 and Article 9 'Special Category Data' of General Data Protection Regulations (GDPR) and UK law.

When information is optional I will inform you that you have a choice whether to share it with me or not. You will also have to option to withdraw consent at any time.

### **What I do with your data and with whom it is shared**

I am required to ensure the information I collect about you and your child/ren is treated confidentially and only shared when there is a need for it to be shared. I do not share information about children without consent unless the law and my policies allow me to do so. I share children's' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins the settings funding and educational attainment policy and monitoring.

- I share information with other settings or agencies involved in your child's care – I am required to do this by the EYFS (see my Permission Form);
- I am required to share a copy of your child's Two Year Progress Check with your health visitor – I am required to do this by the EYFS (see the EYFS for more information);
- I am required to share information with my Local Authority for the purposes of Early Years Census and funding including any extra funding I might claim for your child (see the Local Authority Privacy Notice for more details).
- I share information about income and expenses including, when requested, your invoices and payments with HMRC and Tax Credits.

I am 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.

### **Ensuring your data is accurate**

Under the GDPR I am required to keep data about you and your child/ren up-to-date and to ensure it is accurate: I will do this regularly. You have the right to access personal data about you and your child/ren and I will share this information with you on request.

### **Online data processing**

Computer and laptop security includes regularly updated antivirus software and secure password.

Electronic equipment – I have a laptop which is used for business purposes. Information is stored on the laptop and accessed through Dropbox ([www.dropbox.com](http://www.dropbox.com)) when using my ipad or iphone for transferring files.

My website – I use [www.wix.com](http://www.wix.com) to process my website which might collect anonymous information about your activity on the site: I do not use this information. My website contains

links to other websites: I cannot be held responsible for links that do not work or the accuracy of the information contained in the websites. Wix.com is GDPR compliant. Details entered into the 'Contact me' page on my website are not retained unless a request is made to be held on my waiting list.

Email including e-newsletters and e-invoices – I use Outlook to process emails and my email provider is Outlook. I keep a copy of your email address on my computer to allow me to process emails quickly: I do not gather statistics or monitor any information.

Text messages – I use Three as my mobile phone provider to send and receive text messages. I keep a copy of your mobile phone number in my contacts to allow me to call you, send you texts or photographs.

Tapestry – I use Tapestry to record children's development and learning (see Online Learning Journey Policy). Tapestry's software processes children's data and they are is GDPR compliant.

### **Paper data processing**

Paper documents relating to you and your child/ren are stored in a lockable file box. Documentation in use, such as individual plans and attendance registers are stored in my childcare folder in the lounge until they are completed and then filed in to the lockable storage box.

### **How long I keep your data**

I retain children's personal records for three years after they have left the setting, except records that relate to a significant accident or child protection matter. These are kept until the child reaches the age of 21 years and 3 months. You will find further information in my Retention Policy which I will share with you before your child/ren starts in my care and further information about document retention will be clarified in the Contract Termination letter which I will give you when your child leaves the setting.

### **How I delete your data**

Online deletion - files held in relation to child/ren and their families on the computer are deleted when no longer required.

Tapestry accounts will be closed after 30 days, all information is deleted after this time

Paper deletion - files held in paper format, including photos of children, are either handed to parents when the child leaves or goes to school/other setting or shredded when no longer required.

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

Under data protection legislation, parents and children have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact [include relevant contact details]

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 have a concern about the way I am collecting or using your personal data, I request that you raise your concern with me in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## **How you can make a complaint**

I am required to inform you about how you can make a complaint relating to a data breach or if you think I am not processing your data appropriately.

Complaining to Ofsted - Ofsted can be contacted in the following ways: email – [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk); phone – 0300 123 1231; address – Piccadilly Gate, Store Street, Manchester M1 2WD.

Please see my Complaints Policy for more information.

Complaining to ICO - if you are concerned about a data breach, you can contact the Information Commissioners Office - <https://ico.org.uk/for-organisations/report-a-breach/>