

The Oaks Nursery Data Protection Policy

Aim:

To ensure that Oaks Nursery takes all reasonable steps to securely store any personal information held or processed about nursery parent's, children or staff. Kent Union Data Protection Policy is available on request in writing from the Manager.

Information security

- Computers holding personal information are password protected, staff do not share passwords and individuals have their own log in facility. Users 'log out' when the computer is left unattended
- Documents are stored on a remote drive accessed through the University of Kent server. This means that in the event of theft or fire stored all information is protected
- The nursery uses Connect software nursery management system, under license. To find out how Connect protect your personal data please use the link here <https://www.connectgroupplc.com/privacy-notice>
- Up to date virus protection software is installed on all administration computers
- Permission is sought from parents during the registration process for us to communicate electronically. Emails addresses will be stored in group contacts
- Staff are not permitted to store personal information on USB memory sticks
- Confidential paper based information such as addresses and telephone numbers are kept in the nursery office which is locked at the close of business each day.
- Room registers will be stored in a locked cabinet overnight
- When using internal/external postal systems information and documents are to be dispatched using sealed envelopes
- The nursery disposes of confidential or sensitive documents via the secure shredding systems of the University of Kent
- All staff and students receive a copy of the nursery confidentiality policy and sign a confidentiality agreement

Removal of information from the premises

From time to time Managers, Supervisors and Nursery Practitioners may take documentation away from the premises to complete work at home. In these instances, prior permission is needed from the Senior Management Team.

The following steps are in place to minimise the risk of loss/ damage/ impropriety;

- All documentation removed from the premises is returned within 24 hours or 48 hours over a weekend period
- Temporary storage of documents away from the place of work must be inaccessible to family/ residents or visitors

- Confidential documentation longer required must be returned to the nursery and disposed of as outlined in the section 'information security'
- Documentation and lap tops should be transported in the boot of the car out of sight
- Documentation and lap tops are not to be left in vehicles overnight

Complaints

Parents concerned about any aspect of the management of personal data within the nursery are able to raise their concerns in a fair and equal way. Complaints can be registered with the Nursery Manager. If individual's remain unsatisfied that their complaint has not been properly dealt with then they should follow the steps identified in Kent Union's Data Protection Policy.

Privacy Notice for Oaks Nursery, Kent Union

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. Consent to hold personal data on yourself and your child will be required during different phases of the application and admission process, and this will be clearly worded in the appropriate documentation

Who are we?

Oaks Nursery collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the General Data Protection Regulation which applies across the European Union (including in the United Kingdom) and 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 when you provide it to us:

1. Personal information about the child (such as name, date of birth, gender, home address and postcode)
2. Special category characteristics (such as special educational needs (SEN) information, ethnicity, relevant medical information)
3. Parents/Carers Information (such as name, date of birth, National Insurance or National Asylum Support Service Number)
4. Parent/Carers contact details such as (phone numbers and email addresses)
5. Financial eligibility information (such as 30 hours codes)
6. Attendance information (such as sessions attended, number of absences and absence reasons)
7. Details of emergency contacts provided by you on admission (such as name, phone numbers, email addresses)

In addition, we collect *sensitive* personal information such as; gender, ethnicity and religious beliefs that support points 1,2,3 and 5 above.

We also obtain personal information from other sources such as; Specialist Teaching Service, Speech and Language service, Health Visitors

How we use your personal information

We use your personal information to:

- Check and calculate free entitlement
- Provide appropriate pastoral care and support services to children
- Provide funding
- 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

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 up to a maximum of 25 years for safeguarding purposes, 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 (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 EY Local Inclusion Forum Team (EY LIFT))
- Schools that you 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)
- We will share personal information with law enforcement or other authorities if required by

applicable law.

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 Nursery Manager, Chris Comper c.comper@kent.ac.uk

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 Nursery Manager Chris Comper, C.Comper@kent.ac.uk 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.

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>

Review 3 May 2018

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>

In order to fulfil their responsibilities under the act the organisation may, before responding to this request, seek proof of the requestors identity and any further information required to locate the personal data requested.

Adopted on: 1st September 2010

Signature:

Name: Chris Comper

Job title: Nursery Manager

Policy adopted on	Signed on behalf of Oaks Nursery	Copy to staff file	Due for review	Policy version
01.09.2010	Chris Comper	04.01.2016	May 2020	3