

# Handsworth Pre-School Privacy Notice: Parents

(Data protection and Privacy)



## 1. About this Privacy Notice

Under data protection law, you have a right to know about how Handsworth Pre-School uses the personal data we hold. This privacy notice explains how we collect, store and use personal data about you, your family and your child.

If you have any questions about data and privacy, please speak to the Pre-School Leader or the Administrator. More information is also available on our website in our Data Collection and Privacy Policy.

## 2. Why We Collect Personal Data: Our Legal and Contractual Framework

We are required by law to collect, hold and use (or ‘process’) data and information about you, your family and your child, whilst they are registered at Handsworth Pre-School. We must “maintain records and obtain and share information to ensure the safe and efficient management of the setting, and to help ensure the needs of all children are met”<sup>1</sup>. In doing so, we must also make sure that confidential information is held securely and only accessible to those who have a right or a professional need to see. We are also bound by legislation that requires us to ensure records are kept and shared to keep children safe<sup>2</sup>; and to meet the needs of those with Special Educational Needs (SEN)<sup>3</sup>.

The Local Authority<sup>4</sup> and the Department for Education also require us to share certain personal data with them in order to meet our legal and contractual obligations.

## 3. The Personal Data We Hold

The data we collect, use, store and share (where appropriate) includes, but is not restricted to:

- Your child’s name, date of birth and gender
- The name, address and contact details of those with whom your child lives and who have parental responsibility. The names of others who are important in your child’s life outside Pre-School.
- The name and contact details of other adults who we may contact in an emergency; and/or who are authorised to collect your child from Pre-School.
- Your national insurance number; and copies of documents required by the Local Authority to confirm your identification for the purposes of claiming grant funding. This may also include some information about benefits you claim and your household income.
- Information about your child’s health and medical conditions. This may include reports from other professionals which are held on file by us. This may also include information about prescribed medications that you ask us to administer to your child. This includes also accident records for your child. It includes any information you give us about your child’s dietary needs and/or allergies.
- Information about your child and family’s ethnicity and cultural background (if given).
- Records that track and evidence your child’s learning and development at Pre-School, including photographs. This may also include copies of reports made to support referrals to outside agencies, with your permission;

<sup>1</sup> Early Years Foundation Stage (EYFS) 2017

<sup>2</sup> Working Together to Safeguard Children 2015

<sup>3</sup> The SEND Code of Practice 2014

<sup>4</sup> The Local Authority – London Borough of Waltham Forest

and reports received from outside agencies in support of learning and development. It may also include SEND Support Plans and/or Education, Health and Care Plans.

- Records of your child's attendance at Pre-School.
- Information recording any safeguarding concerns or issues raised by staff or others. This can include information passed to us by other agencies such as the Local Authority. It may include copies of care plans if appropriate.

#### **4. How We Use Your Data**

##### ***Personal data about you (the child's parent(s)) and other family and friends:***

We hold information about you and your child from our Application Form, in order to administer admissions to Pre-School and to maintain our waiting list.

Personal data provided through the Registration Form, grant funding forms and any other forms we ask you to complete, is used to meet our legal and contractual requirements with the Local Authority and the Department for Education. We also use the information you provide to ensure that we can contact the correct adults when we need to. We also ask about family, friends and the child's background to help us get to know you and to settle the child at Pre-School.

Sometimes your contact details are also passed, either by you yourself or with your permission, to the Chair of our Parent Committee, so that you can be kept in touch and be more involved in the Pre-School.

Sometimes information about you or your family may be passed to others – the Local Authority, the Police, Social Services or the National Society for the Prevention of Cruelty to Children (NSPCC)<sup>5</sup> – if we have a concern about the safety or welfare of your child. These bodies may also request safeguarding information from us, which we can provide with or without your consent.

##### ***Personal data about your child:***

This is held mainly in Early Learning Records, written and maintained by your child's Key Person to support the development and learning of your child. You are able to see and discuss your child's Early Learning Record at any time. Through our Register and informed absence records, we also hold data on your child and their attendance at Pre-School.

With your permission, we also use photographs of your child in their Early Learning Records; on our website and for displays. Children are not named in displays that are seen by others. Permission to use your child's photo for these purposes can be withheld or withdrawn.

We may also hold records on your child's medical needs and medicines; and on accidents. You see and sign these records.

Within Pre-School, data from your child's Early Learning record may be shared with the Pre-School Leader or SENCO to review and improve the support and learning we provide.

OFSTED or the Local Authority may ask to see the data we hold about children's learning and development and about their health, wellbeing and safety whilst at Pre-School.

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<sup>5</sup> Statutory Authorities

Information about your child's learning and development may also be shared with other health and/or education professionals and agencies, if your child has or may have special needs. You are asked separately to consent to sharing information in this way and can withhold or withdraw consent at any time.

We may also hold records about your child's safety and welfare to help us recognise or protect them from abuse. We do not need your consent to hold this information or to share it.

When your child leaves Pre-School, with your permission, we complete a Transfer Record using the information we have on your child. You receive a copy, a copy is sent to your child's new school/setting; and a copy is retained by the setting.

## **5. How We Store Data**

Maintaining your privacy and the confidentiality of your data and information is important to us. Most of the data we receive from you about yourself, your family and your child are collected and held through the forms we ask you to complete when applying and registering for a place at Pre-School; and in records completed whilst your child is with us. All paper forms, record books etc. are held securely in lockable filing cabinets in the Pre-School Hall. The filing cabinets are housed in a lockable cupboard that only staff access.

Where staff complete Early Learning Records, or other records, assessments and/or reports on their computer, files must be password protected.

We have a Data Protection and Privacy policy, which is regularly reviewed. All staff are trained in data protection and we seek constantly to ensure we reflect good practice in what we do.

## **6. How Long We Keep Records**

Our Data Protection and Privacy policy sets out retention periods for the data we collect. We will not store or keep personal data for longer than is necessary or required by law. When we destroy records, we shred paper records; and any electronic files (including pictures) are deleted.

If you have applied to Pre-School but have not taken a place when offered, or your child is no longer eligible to attend, your details will be deleted from our waiting list.

The majority of the data and records we keep are destroyed when your child leaves Pre-School. We do not keep either paper or electronic copies of your child's Early Learning Record: hard copies are passed to you and any records held on computers are deleted.

However, the law does require us to keep some records. Full details are set out in our Date Protection and Privacy policy. In summary:

- A copy of your child's Transfer Record will be retained by Pre-School for 7 years after your child has left.
- Accident books and Medicines books will be kept for at least 5 years or one OFSTED Inspection cycle.
- Pre-School Registers are held for 7 years.
- Records pertaining to children with special educational needs or any safeguarding concerns must be held until your child reaches the age of 25.
- Records of formal Complaints will be held for at least 6 years after the date of the resolution of the complaint.
- Records pertaining to the payment of grant money (e.g.: additional SEN funding, Early Years Pupil Premium and the Early Years Grant (FEEE) for three and four year olds) must be held for 7 years. This is a requirement to provide for the auditing of accounts.

## **7. Data Sharing**

In general, we seek your consent before sharing your data or that of your child, and will explain to whom the data will be shared and why it might be helpful to do so. You have the right to withdraw or withhold your consent at any time.

However, the law and our contract with the Local Authority requires us to share some data. This includes sharing data with:

- statutory authorities if there is a safeguarding concern
- the Local Authority and the Department of Education
- OFSTED, when they come to inspect us.

The Local Authority may also ask to see children's records if they are also performing quality assurance work.

We also use the Local Authority 'online checker' to confirm whether or not your child may be eligible to receive additional Pupil Premium payments. Completion of the Pupil Premium form is optional.

If you used our online application form, this is hosted by Google Forms. The data you provide is automatically loaded in to a spreadsheet and emailed to the Administrator. Use of the online application form is optional.

We will not share your data with other third parties without your permission unless the law requires us to do so. We will never sell your data to third parties for marketing purposes; or use your data to make automated decisions.

## **8. Your rights**

You have the right to:

- Ask to see, amend or update your/your child's personal data
- In certain circumstances, ask that we delete, destroy or stop processing your/your child's personal data
- Ask that we transfer your/your child's personal data to another person

If you wish to exercise any of these rights, please speak to the Pre-School Leader or the Administrator. You may be asked to put your request in writing.

## **9. Complaints and Contact Details**

In the majority of cases, we would expect that staff to be able to respond to any questions or comments about how we collect and use your personal data sufficient to satisfy any concerns you may have. However, if you remain dissatisfied after speaking to staff you may:

- Make a formal Complaint to Pre-School, following our Complaints Procedure. (Details are in the Parent Handbook and in our Complaints Policy, which is published on our website.)
- Make a complaint to the Information Commissioner's Office (ICO). You can contact the ICO online, ([www.ico.org.uk](http://www.ico.org.uk)); or by phone (030 123 1113). You can also write to them at: ICO, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

## **10. Review**

This Privacy Notice will be subject to regular review. Copies of updated or new versions of this Notice will be sent to parents when applicable.