

# DATA PROTECTION: PRIVACY NOTICE FOR PARENTS/CARERS AND CHILDREN

## Amendment History

Revision	Author	Description of change	Date updated
Original	CH & SF	New policy following GDPR training	June 2018
1	CH & SF	Review, no significant changes	March 2019
2	CH & SF	Amended title to 'Data Protection: Privacy Policy'.	January 2020
3	CH	Review, no change	July 2022
4	CH, TH & XF	Updated setting email address	July 2023

# DATA PROTECTION: PRIVACY NOTICE FOR PARENTS/CARERS AND CHILDREN

## Introduction

When you use Playgroup's services, you trust us with your personal data. We are committed to keeping that trust, which starts with sharing our privacy practices. This Privacy Notice explains in detail what personal data we collect and how we use that information.

This Notice applies to any user of Playgroup's services, websites, apps and social media anywhere in the world.

## Who are we?

Kineton Playgroup is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

You can contact Playgroup as the Data Controller in writing at [kinetonplaygroup@welearn365.com](mailto:kinetonplaygroup@welearn365.com)

## What is Personal Information?

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Sensitive data' information relates to personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

## What personal information do we process about children and parents?

The child and parent information that we collect, hold and share includes:

- Personal information including a child's name, date of birth (including details of evidence of date of birth) and home address (this includes information provided when you make an enquiry as well as when your child is registered)
- Characteristics such as ethnicity, language, nationality, country of birth and funding eligibility
- Attendance information such as sessions attended, number of absences and absence reasons.
- Educational information including development records, assessment results, relevant medical information, details of children's special educational needs, exclusions/behavioural information, attendance at other settings.
- Contact information for parents, carers and emergency contacts, including telephone numbers, home and work addresses and e-mail addresses.

- Information about a child's home life, where required as part of necessary safeguarding and welfare processes.
- Financial information for the purpose of paying for sessions whether by funding or other means.

### **Why do we use personal information?**

We use this data to create records:

- to respond adequately to your requests for information
- to support learning
- to monitor and report on progress
- to provide a safe and healthy environment
- to assess the quality of our services
- to comply with the law
- to safeguard children
- to manage our financial systems such as invoicing and payments
- to aid in the administration of our services

If you receive Government funding or other support with funding then we receive personal data from third parties on your eligibility for this funding.

### **Collecting children's information**

Whilst the majority of children's information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

### **What is the legal basis for us to process your personal information?**

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. The lawful reasons we have for processing personal information are as follows:

#### **1) To comply with the law**

We collect and use general purpose children's information in order to meet certain legal requirements and legal obligations placed upon the setting by law. We are required to process this personal information for such purposes even if you have not consented to us doing so. Examples include child/adult care regulations, safeguarding/health/safety regulations, tax and government funding regulations.

#### **2) To protect someone's vital interests**

We are able to process personal information when there is an emergency and/or where a person's life is in danger.

#### **3) With the consent of the individual to whom that information 'belongs'**

Whilst much of the personal information processed is in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the

data is being collected and how the data will be used. You have the right to withdraw your consent at any time.

#### **4) To perform tasks in the public interest**

It is a day-to-day function of Playgroup to ensure that children receive the education and support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that children are properly educated and supported.

#### **5) For the performance of a contract with you**

We are able to process personal information when it is necessary to fulfil our contract with you.

#### **5) For the purposes of legitimate interest pursued by the Data Controller or a third party**

We are able to process personal information when it is necessary for the legitimate function of the setting, for example day lists, safeguarding and funding records.

#### **Sensitive personal data**

In order to process 'sensitive personal data', we must be able to demonstrate how the law allows us to do so. In addition to the legal basis above, we must also be satisfied that ONE of the following additional lawful reasons applies:

- Explicit consent of the data subject
- Processing relates to personal data which is manifestly made public by the data subject
- Necessary for establishing, exercising or defending legal claims
- Necessary for reasons of substantial public interest
- Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- Necessary for archiving, historical research or statistical purposes in the public interest
- Necessary for equal opportunities monitoring
- Necessary under employment law

#### **Who might we share your information with?**

We routinely share children's information with:

- Other settings (eg when children move on, if children attend more than one setting)
- Warwickshire County Council
- Department for Education
- SEND Support agencies – Warwickshire's Integrated Disability Service (IDS), Warwickshire's Child Development Service (CDS), Warwickshire Speech and Language Therapy Service (SLT)

- Tesco Photo Yearbook
- Tempest Ltd for portrait and group photographs
- Wix.com – Playgroup’s website
- Children’s and Family Front Door and Children’s Team.
- Health Visitor Team
- Other parents and visitors only as part of the day to day setting routines such as newsletter and day lists
- Kineton United Charities

We do not share information about our children or parents unless the law and our policies allow us to do so.

**Data collection requirements:**

To find out more about the data collection requirements placed on us by Warwickshire County Council, please contact them directly

**What do we do with your information?**

All personal information is held in a manner which is compliant with data protection legislation. Personal information is only processed for the purpose it was collected. Playgroup monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so (as set out above).

**How long do we keep your information for?**

In retaining personal information, Playgroup complies with its Data and Document Storage Retention and Disposal Policy. The Policy sets out the Statutory Provisions under which Playgroup are required to retain the information.

**Transferring data internationally**

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

**What are your rights with respect of your personal information?**

Under data protection law, 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 to have access to your child’s educational record, contact the Playgroup.

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 we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>