

# *Hillside Pre-School and Early Learning Group*

## *Policies and Procedures*

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### **Data Protection Policy (including GDPR)**

The Data Protection Act 2018 sets out a framework for Data Protection Law. It updates and replaces the Data Protection Act 1998. It sits alongside the General data Protection Regulations (GDPR).

The childcare provision will abide by the rules for processing personal information. These rules are known as the 8 data protection principles. All personal information will be

- Lawfully and fairly processed
- Only processed for the purpose in which it was intended.
- Adequate, relevant and not excessive
- Accurate
- Not kept for longer than three years after the child has left the setting
- Processed in line with individual rights
- Secure
- Not transferred to countries without adequate data protection

The childcare provision will keep all information relating to each child secure and in a locked filing cabinet. Children's details will be returned to the parents, or shredded, in accordance with the conditions in our Privacy Notice (pages 3-5) .

All information, which identifies the child including hand written notes, will be kept securely.

We adhere to the legal requirements set out in the Statutory Framework for the Early Years Foundation Stage (EYFS) 2021. We follow regulations concerning the information that we must hold, regarding the registered children, their families and staff working at the setting.

Parents have the rights to see their own child's records on request. Personal information will not be disclosed except where it may put the child's safety or well being at risk, for example:-

- To enable Social Care and Health or the police to investigate if a child is considered at risk, or by court order.
- In connection with legal proceedings or where obliged by law to provide information to a third party.
- To prevent harm. Information regarding a child's illness or allergy will be passed on to all staff. Details of illness or allergies are displayed, to remind staff, in secure areas only accessed by staff members.

All staff adhere to the confidentiality policy. Confidential information given by parents

will only be passed onto members of staff on a need to know basis.

There may be times when particular children need additional support from other professionals for example, Speech Therapist or Health Visitor. Parental consent will be required before we pass on this information.

## **Privacy notice**

We are committed to ensuring that any personal data we hold about you and your child is protected in accordance with data protection laws and is used in line with your expectations.

This privacy notice explains the personal data we collect, why we collect it how we use it and how we protect it.

### **What personal data do we collect?**

We collect personal data about you and your child to provide care and learning that is tailored to meet your child's individual needs. We also collect information in order to verify your eligibility for free childcare as applicable.

Personal details we collect include:-

Your child's name, date of birth, address, ethnicity, health and medical needs, development needs and any special educational needs.

Where applicable we will obtain child protection plans from Health and Social Care, health care plans from health professionals and any advice from previous settings attended or Portage.

We will ask for information about who has parental responsibility for your child and any court orders pertaining to your child.

Personal details that we collect include your name, home and work address, phone numbers, emergency contact details and family details. We will ask you to nominate a password on your child's individual collection form.

This information will be collected from you directly in the admission, registration and collection forms.

If you apply and are eligible for 30 hours free childcare we also collect your national insurance number or unique taxpayer reference (UTR), if you are self-employed. We also need to collect parents date of birth details to verify the application.

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### **Why we collect this information and the legal basis for handling your data**

We use personal data about you and your child in order to provide childcare services and fulfil the contractual arrangements you have entered into. This includes using your data to:-

contact you in case of any emergency  
support your child's well being and development  
to manage any special educational, health or medical needs of your child whilst in our setting.

To carry out regular assessments of your child's progress and to identify any areas of concern

To maintain contact with you about your child's progress and answer any questions you may have.

To process your claims for two year funding, 15 hour and 30 hour government funding

To keep you updated with information about our service.

With your consent we will also record your child's activities for their individual learning journals. This will include photographs.

With your consent we will use photographs of children taking part in activities on our website and on our social media page.

You will have the opportunity to withdraw your consent at any time regarding photo images by confirming so in writing.

We have a legal obligation to process safeguarding related data about your child should we have concerns about their welfare. We also have a legal obligation to transfer records and certain information about your child to the school that your child will be attending.

### **Who we will share your data with**

In order for us to deliver childcare services we will also share your data as required with the following categories of recipients:-

Ofsted – during an inspection or following a complaint about our service

The Local Authority who process applications for 2 year, 15 hour and 30 hour funding

The governments eligibility checker where applicable for government funding requests.

The school that your child will attend and insurance underwriter where applicable.

We will also share your data if:-

we are legally required to do, for example, by law, by a court or the Charity Commission

to enforce or apply the terms and conditions of your contract with us

to protect your child and other children, for example by sharing information with health and social care or the police.

We will never share your data with any other organisation to use for their own purpose

### **How do we protect your data?**

We protect unauthorised access to your personal data and prevent it from being lost, accidentally destroyed, misused or disclosed by keeping all personal data stored in a locked filing cabinet in the managers office or in a locked unit in both classrooms.

### **How long do we retain your data?**

We retain your child's personal data for up to three years after your child no longer uses our setting. Your child's learning journal is maintained by each key person and given to Hillside school if that is your chosen school or to parent if another mainstream school has been chosen. Hillside school will then give learning journals to parents.

### **Your rights with respect to your data**

You have the right to:-

request access, amend or correct your child's personal data

request that we delete or stop processing your child's personal data for example where the data is no longer necessary for the purpose of processing

request that we transfer your and your child's personal data to another person

If you wish to exercise any of these rights at any time or if you have any questions, comments or concerns about this privacy notice and how we handle your data please to speak to the manager.

If you still had concerns you have the right to complain to the Information Commissioner Office (ICO) at [www.ico.org.uk/](http://www.ico.org.uk/)