

**Bewbush Community Nursery School**

**Privacy Notice**

**Published August 2019**

# **Privacy Notice**

This privacy notice explains how Bewbush Community Nursery uses the personal information we collect from you, either through using our website, or in any other way, electronically, verbally or in writing.

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## **Data controller**

Bewbush Community Nursery is the data controller, because we make decisions about what data we collect and how it is used and with whom it is shared with. We can be contacted at info@bewbushcommunitynursery.co.uk or telephone number 01293 522030.

## **On what basis do we collect and process your data?**

Data Protection law defines the basis by which we can lawfully collect and process personal data.

Consent

We will collect and process your personal data on the basis of your freely given and informed consent where we have concluded that this is the most appropriate basis for the processing. You are free to withdraw your consent at any time and can do so by contacting us on the numbers above or using the email address.

To enter into or in pursuance of a contract:

We will collect personal data when engaging with individuals to enter into a contract, such as the agreement to place a child at the nursery or commercial agreement to supply services or goods. We will continue to process that data for the duration and often subsequently after the contract expires or is terminated.

Where we have a legal obligation:

We will collect personal data when we are required to through a legal obligation, such as requirements from public authorities in relation to health and safety, welfare and safeguarding.

Where processing your data is in your children’s vital interests:

We will process your data if we feel it is required to protect your child’s vital interests, or the vital interests of another person. This might occur in serious life or death situations where immediate disclosure of personal data is required. We have documented our justification for processing your data on this basis.

In our legitimate interest:

We will collect and process personal data where it is in the legitimate interest of Bewbush Community Nursery to do so. Specifically, we use legitimate interest in relation to processing the personal data of third party emergency contacts.

For the data we act as data controller for, we have determined the following basis:

## Parent and Guardians

|  |  |  |  |
| --- | --- | --- | --- |
| **Purpose** | **Data Type** | **Data Collected** | **Legal Basis** |
| Enrol Child in Nursery | Contact Details | Name | Contract |
| Enrol Child in Nursery | Contact Details | Address | Contract |
| Enrol Child in Nursery | Contact Details | Telephone number(s) | Contract |
| Enrol Child in Nursery | Contact Details | Email address | Contract |
| Enrol Child in Nursery | Identity Details | Relationship to child | Contract |
| Enrol Child in Nursery | Identity Details | National Insurance No. | Contract |
| Enrol Child in Nursery | Identity Details | Date of Birth | Contract |
| Enrol Child in Nursery | Identity Details | Language spoken at home | Legitimate Interest  |
| Entitlement application | Identity Details | National Asylum Support Service No. | Legal Obligation |
| Enrol Child in Nursery | Identity Details | Signature | Contract |
| Enrol Child in Nursery | Identity Details | Emergency contact name | Legitimate Interest  |
| Enrol Child in Nursery | Identity Details | Emergency contact address | Legitimate Interest  |
| Enrol Child in Nursery | Identity Details | Emergency contact telephone numbers | Legitimate Interest  |
| Enrol Child in Nursery | Identity Details | Emergency contact email address | Legitimate Interest  |

## Children

|  |  |  |  |
| --- | --- | --- | --- |
| Enrol Child in Nursery | Contact Details | Surname | Contract |
| Enrol Child in Nursery | Contact Details | Known Name | Contract |
| Enrol Child in Nursery | Contact Details | Gender | Contract |
| Enrol Child in Nursery | Contact Details | Date of Birth | Contract |
| Reporting requirement of Public Authority | Identity Details | Passport/ Birth Certificate | Contract |
| Enrol Child in Nursery | Identity Details | Address | Contract |
| Enrol Child in Nursery | Identity Details | Name of Parental Responsibility | Contract |
| Enrol in Nursery | Operational data | Nationality | Contract |
| Development Monitoring | Operational data | Languages spoken at home | Contract |
| Enrol in Nursery | Operational data | Child's Language | Contract |
| Development Monitoring | Operational data | Languages child understands | Contract |
| Welfare Requirements | Operational data | Religion | Explicit Consent |
| Welfare Requirements | Operational data | Dietary Requirements | Explicit Consent |
| Welfare Requirements | Operational data | Food Allergies | Explicit Consent |
| Welfare Requirements | Operational data | Other Allergies | Explicit Consent |
| Welfare Requirements | Operational data | Medical Requirements | Explicit Consent |
| Welfare Requirements | Operational data | Social or Welfare needs | Contract |
| Development Monitoring | Operational data | Photographs | Consent of the Data Subject |
| Development Monitoring | Operational data | Record of achievement | Legal Obligation |
| Statutory Reporting | Operational data | Record of accident | Legal Obligation |
| Statutory Reporting | Operational data | Incident record | Legal Obligation |
| Statutory Reporting | Operational data | Record of child going home early | Legal Obligation |
| Statutory Reporting | Operational data | Safeguarding record | Legal Obligation |

Where the basis identified is consent, then parental consent is obtained. Where we have used consent to process data, you are free to withdraw that consent at any time.

## Contractor and Suppliers

|  |  |  |  |
| --- | --- | --- | --- |
| To engage commercially | Contact Details | Name | Contract |
| To engage commercially | Contact Details | Phone number | Contract |
| To engage commercially | Contact Details | Email address | Contract |

We collect data in relation to your communications and interaction with us. This can include emails, text messaging, postal service delivery, social media posting or any other form of communication. In addition to the lawful purpose described previously for the above categories, we have a legitimate interest purpose to collect and retain this data to enable and improve our communication and for record keeping purposes.

The data we collect as data controllers from our data subjects is obtained directly from the data subject themselves, their parent or guardian or is obtained from sources such as social media platforms. Please see our Cookie Policy for information on the data collected by our website.

## **Data recipients and data transfers**

We do not sell any of your personal data to any third party. Where required, Bewbush Community Nursery share personal data with service providers such as our accountants and insurance companies, as well as the public authorities that regulate our business and provide funding for children and safeguarding oversight. We may, as required, share your personal information with printing and mailing companies, as well as email service providers and other delivery companies.

Specifically, we share your data with:

* Care Catering Ltd for the purpose of providing children’s meals based on dietary or religious grounds.
* NHS Visiting Service for the purpose of joint assessment and provision for special needs.
* Parenta (web based nursery management platform) for the purpose of managing and administering the day to day nursery operation.
* Tapestry (web based record of children’s development) for the purpose of recording the development of children in the nursery and providing reports to parents and guardians.
* We process personal data on behalf of West Sussex County Council, through their online portal, for the purpose of registering free entitlements and for welfare and safeguarding purposes.

Where required we will disclose your personal data with law enforcement and fraud prevention agencies. This is so we can help tackle fraud or where such disclosure is necessary for compliance with a legal obligation to which we are subject. Additionally, in order to protect your vital interests or the vital interests of another natural person, or in connection with the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

Personal data in electronic form is held in EU or UK accredited data centres, our email system stores data outside of the EEA. Where data is transferred outside of the EEA, we ensure that the transfer is covered by an EU adequacy decision such as the USA Privacy Shield or through mechanism such as standard contractual clauses as approved by the EU.

## **Sensitive information**

Bewbush Community Nursery does process sensitive data as defined by Article 9 of the GDPR. Specifically, in relation to our children, we process:

* Racial / ethnic origin data
* Religious beliefs data
* Medical and Health data

In order to process this data lawfully, we obtain explicit consent from the parent or guardian.

## **Retention policy**

The data we collect directly from you is the minimum we require to facilitate the lawful processing described above. Personally Identifiable Data placed on our system will be deleted in accordance with legal obligations, such as Ofsted requirements. Outside of that Bewbush Community Nursery has developed a retention policy to ensure personal data is held only for as long as is required for the purpose we collected it or for our legitimate purposes.

We will retain both parent / guardian and children’s data for 3 years after the child has left the nursery, or until the next following Ofsted inspection has completed.

Incident and accident records will be held for 3 years following the record entry.

Safeguarding records will be retained until the child has reached the age of 25 years.

Generally, personal data required for financial transaction and audit purposes, including reporting to the HMRC will be retained for 6 years plus the current year it is collected.

Personal data collected for the purposes of engaging with suppliers will be maintained for the duration of the commercial relationship and for a further 7 years thereafter.

## **Data Storage and Security**

Bewbush Community Nursery follows strict security procedures to ensure that your personal information is not damaged, destroyed, or disclosed to a third party without your permission and to prevent unauthorised access. We store both physical and electronic records. We have put in place technical and organisational measures to ensure our physical security as well as technical measures for data backup, authorisation and authentication onto systems. We use secure firewalls and other measures to restrict electronic access, including anti-virus and anti-malware measures. If the data must be transferred to a third party, we require them to have in place similar measures to protect your personal data. We have a process in place to mitigate the impact of any data breach that should occur.

Only persons who need the information to fulfil their duties are granted access to personal data. We may require you to cooperate with our security checks before we disclose information to you. You can update the personal information that you give us at any time by contacting us directly.

## **Your rights as a data subject**

The regulations provide a number of rights to you as the Data Subject. Bewbush Community Nursery is committed to upholding those rights and those applicable to the personal information we collect and process are listed below. In addition to these rights, you have the right to escalate any concern to the Supervisory Authority, which in the UK is the Information Commissioners Office <https://ico.org.uk>. A full and detailed explanation of all rights can be found at https://ico.org.uk/for-the-public/

* **The Right to be Informed** – you should be clear about what, why and in what way your personal information will be processed at the time it is processed. This privacy policy sets out that information
* **Right of Access** – you have the right to know what personal information is held, by whom and why.
* **The Right to Rectification** – If the information we have collected and processed is inaccurate or incomplete, you have the right to have it rectified.
* **Right to Erasure** – You have the right to have your personal data erased and to prevent processing in some specific situations.
* **Right to Restrict Processing** - If you contest the accuracy of the personal data we hold, we will restrict the processing of your data until accuracy is verified.
* **Right to Data Portability –** You have the right to move, duplicate or transfer your data easily from one IT environment to another in a safe and secure way.
* **Right to Object –** You have the right to object to profiling and direct marketing
* **You also have rights in relation to automated decision making.**

You also have the right to lodge a complaint with the UK’s supervisory body, The Information Commissioners Office [www.ico.org.uk](http://www.ico.org.uk)

## **Automated decision making**

Bewbush Community Nursery does not use automated decision making to process personal data.

## **Third party websites**

Our website may contain links to other websites. This privacy policy only applies to Bewbush Community Nursery., so if you follow a link to another website, you should read that organisations own privacy policy.

## **Changes to our privacy policy**

We keep our privacy policy under review and we will place any updates on our website. This privacy policy was last updated in July 2019

## **How to contact us**

You can write to us at this address:

Bewbush Community Nursery CIC
Bewbush Children’s & Family Centre

Dorsten Square

Bewbush

Crawley

West Sussex

RH11 8XW

You can telephone us on this number:

01293 522030.

You can email us by using this link:

info@bewbushcommunitynursery.co.uk