Privacy Notice

(How we use children's information)

The Community Nursery Salehurst Ltd, trading as **Puddle Ducks Nurseries**, processes personal information about its children. The data controller for the purposes of Data Protection legislation is The Community Nursery Salehurst Ltd. We collect information from you and may receive information about your child from their previous setting.

The Community Nursery Salehurst Ltd is registered with the Information Commissioner's Office under registration reference **ZB944433.**

Categories of child level information

The categories of child level information that we collect, hold and share include:

- Personal information (such as name, address and date of birth).
- Characteristics such as:
  - ethnicity
  - language
  - nationality
  - country of birth
  - free school meal eligibility.
- Attendance information (such as sessions attended, number of absences and absence reasons).
- Parent and carer contact details.
- Emergency contact details.
- Funding eligibility information.
- Assessment information.
- Learning journeys, observations and progress records.
- Relevant medical information.
- Dietary requirements and allergies.
- Accident, incident and medication records.
- Special Educational Needs and Disabilities (SEND) information.
- Safeguarding, welfare and child protection information.
- Health and developmental information shared by relevant professionals.

- Photographs, videos and audio recordings where consent has been provided.
- Correspondence between parents/carers and the nursery.
- Invoices, payment records and financial administration information.
- Information held within our secure digital learning journal system, **Tapestry**.

Why we collect and use this information

We use the children's data:

- to support children's learning
- to track and report on children's progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to follow the law regarding data sharing
- to provide high quality childcare and early education
- to meet requirements under the Early Years Foundation Stage (EYFS)
- to safeguard children and promote their welfare
- to administer funded childcare entitlements
- to communicate effectively with parents and carers
- to manage admissions, attendance and nursery places
- to manage accounts, invoicing and payments
- to support children with additional needs
- to liaise with health, SEND and other professionals involved in supporting children
- to respond to statutory and regulatory requirements
- to improve our services and outcomes for children

The lawful basis on which we use this information

We collect and use children's information under:

UK GDPR Article 6

- Article 6(1)(b) Performance of a contract.
- Article 6(1)(c) Compliance with a legal obligation.

- Article 6(1)(e) Performance of a task carried out in the public interest.
- Article 6(1)(a) Consent where specific consent is required.

UK GDPR Article 9 (Special Category Data)

Where we process health, SEND, safeguarding, ethnicity or other special category information we rely on:

- Article 9(2)(b)
- Article 9(2)(g)
- Article 9(2)(h)

and other applicable provisions of the Data Protection Act 2018.

Collecting children's information

Whilst the majority of child level information you provide to us is mandatory, some of it is provided to us on a voluntary basis. To follow the General Data Protection Regulation, we will inform you what is required or not.

Storing pupil data

We retain records in accordance with statutory childcare, safeguarding, taxation, insurance and operational requirements.

Examples include:

- Safeguarding records may be retained until a child reaches **21 years and 3 months**.
- Financial and accounting records are generally retained for **6 years plus the current financial year**.
- Accident and incident records are retained in accordance with statutory and insurance requirements.
- Other records are retained in accordance with our records retention schedule and legal obligations.

Who we share children's information with

We routinely share children's information with:

- Settings or schools that the children attend after leaving us.
- Our local authority.
- The Department for Education (DfE).
- Health Visitors.
- NHS professionals.
- Speech and Language Therapists.
- SEND and Inclusion Support Services.
- Early Years Support Services.
- Social Care services where required.
- Ofsted where required.
- Tapestry, our secure online learning journal provider.

We may share information with:

- The Police (for safeguarding purposes) if required.
- Safeguarding partners and other agencies where legally required to protect children.

Why we share children's information

We do not share information about our children without consent unless the law and our policies allow us to do so.

We share children's data with the Department for Education (DfE) on a statutory basis. This data sharing underpins the settings funding and educational attainment policy and monitoring.

Data collection requirements

To find out more about the data collection requirements placed on us go to:

https://www.gov.uk/education/data-collection-and-censuses-for-schools

The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides evidence on educational performance to inform independent research. It is held in electronic format for statistical purposes. Information is securely collected from a range of sources including;

- Schools
- local authorities
- awarding bodies.

We are required by law, to provide information about our children to the DfE as part of statutory data collections. 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.

To find out more about the NPD, go to https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information.

The department may share information about our children 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 Department has robust processes in place to ensure the confidentiality of our data. 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. These cover

- confidentiality
- handling of the data
- security arrangements
- retention
- use of the data.

For more information about the department'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, 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

Digital Learning Journals and Parent Communication

Puddle Ducks Nurseries uses **Tapestry**, a secure online learning journal and parent communication platform.

Information processed within Tapestry may include:

- observations
- assessments
- photographs
- videos
- learning journeys
- developmental progress
- messages between the nursery and parents
- information relating to a child's care and wellbeing

Tapestry acts as a data processor on behalf of the nursery and processes personal information in accordance with its published privacy and security arrangements.

Photography, Video and Marketing

Separate parental consent will be sought for:

- photographs for marketing purposes
- website use
- social media use
- promotional materials
- other optional processing activities where consent is the lawful basis

Parents may withdraw consent at any time.

Requesting access to your personal data

Under data protection legislation, 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 be given access to your child's educational record, contact:

Email: info@puddleducksnurseries.com

Data Protection Contact: Sarah Hinton, Director.

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
- 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, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at:

https://ico.org.uk/concerns/

Data Protection Contact

Sarah Hinton
Director
Puddle Ducks Nurseries
Email: info@puddleducksnurseries.com

Data Controller:

The Community Nursery Salehurst Ltd
Trading as **Puddle Ducks Nurseries**
Parsonage Stable
Parsonage Farm
Church Lane
Robertsbridge
TN32 5PJ

ICO Registration Number: **ZB944433**.