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**Privacy Notice (How we use children’s information)**

**Denton Island Nursery** processes personal information about its children and is a ‘data controller’ for the purposes of Data Protection legislation. We collect information from you and may receive information about your child from their previous setting.

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

* Personal information (such as name and address)
* Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
* Attendance information (such as sessions attended, number of absences and absence reasons)
* Contact details (such as work details for parents/carers and emergency contacts)
* Permissions and consents (such as permission for application of creams or medications)
* Health, wellbeing and medical information (such as allergies, medication requirements, assessment information, safeguarding files, accident forms)
* Observations, assessment and planning information (such as written, photographic or video observations, EYFS assessment information, planned next steps, group assessment data, Integrated Health Checks)
* Photographic learning story displays (such as photographs, short observations, children’s art work)
* Special Educational Needs or additional requirement information (such as identified needs, support information, reports from specialist services)
* Parents work and financial status (such as work status, National Insurance Numbers, EYEE funding numbers, EYPP status)

**Why we collect and use this information**

We use the children’s data:

To support children’s learning

To monitor and report on children’s progress

To provide appropriate pastoral care

To assess and improve the quality of our services

To comply with the law regarding data sharing

To fulfil all contractual obligations

To ensure parents and carers are receiving correct funding for their child

To take payments for contacted services

**The lawful basis on which we use this information**

We collect and use children’s information under the following legal basis

* Legal Obligation
* Contract
* Consent

Under article 6 of the GDPR. Where we process Special Category data on the basis of principles:

* A Consent and,
* D Legitimate activities.

(Please Turn over)

**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. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain child level information to us or if you have a choice in this.

**Storing pupil data**

We hold children’s data for as long as is required by law, usually for 6 years after the child leaves the setting as UK tax laws require us to keep basic personal relating to contracts and services for a minimum of 6 years after which time it will be securely destroyed.

**Who we share children’s information with**

We routinely share children’s information with:

* Settings/schools that the children attend after leaving us
* Additional setting the child attends
* our local authority
* the Department for Education (DfE)
* Ofsted Inspectors
* Health Visitors, Speech and Language Therapists, Occupational Therapists and other Health Care Professionals supporting individual children
* ISEND team
* Single Point of Advice Service (SPOA), Children’s Centre Key-workers or Social Workers

**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.

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**Data collection requirements:**

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the early years census) goes 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 invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

We are required by law, to provide information about our children to the DfE as part of statutory data collections such as the school census and early years’ census. 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 is maintained and 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 covering the confidentiality and handling of the data, security arrangements and retention and 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, (and for which project), 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>

**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 Kerry Foote on 01273 515125 or Kerry.foote@sussexcommunity.org.uk

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, 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 Officer**

The Data Protection Lead for SCDA is Andy Millward he can be contacted on 01273 519154 or andy@sussexcommunity.org.uk

For more detail on how SCDA functions please refer to **SCDA’s Privacy Notice** available on the website [www.sussexcommunity.org.uk](http://www.sussexcommunity.org.uk)

For Ofsted’s Early Years Privacy Notice please refer to their website or follow this link <https://www.gov.uk/government/publications/ofsted-privacy-notices/childcare-ofsted-privacy-notice>