

# PRIVACY & GENERAL PROTECTION REGULATION POLICY



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Reviewed by Rachel Traczyk on: Sept 2023

Little Sparrows is committed to protecting your privacy. This updated Policy explains how we use any information you give to us, the ways in which we protect your privacy and outlines the access in which you have to your information.

## HOW WE COMPLY WITH THE DATA PROTECTION ACT OF 1998 AND 2018 TO BE EFFECTIVE FROM 25TH MAY 2018

We treat any personal information (which means data from which you can be identified, including your name, address, e-mail address, etc.) that you provide us, or that we obtain from you, in accordance with the provisions of the Data Protection Act. Under this Act, we have a legal duty to protect any information we collect from you. Any amendments to this policy will continue to be in accordance with the provisions of the Data Protection Act 1998.

## HOW WE COLLECT INFORMATION ABOUT PARENTS AND THEIR CHILDREN

When parents send their children to Little Sparrows, we receive information about them and their child who attends our nursery in a number of different ways.

Parents may give us information when they:

- Apply for the waiting list, or we offer them, a place at Little Sparrows
- Apply for, or we offer them, a funded place
- When they let us know about a change in their personal circumstances (for example, if they change their name, get married or move house).
- We may receive it from another organisation, for example, should we be required to work with the local council or health service.
- When you email / provide us with photographs or information of achievement that children have enjoyed.

## HOW WE USE YOUR PERSONAL INFORMATION

### PARENTS:

We use information that we have about parents and children for the running of Little Sparrows and to comply with our Ofsted requirements. These generally fall into the following areas.

1. **Administration** – This applies to past, current and potential future children and their parents / guardians.

We use this information for the provision of child care.

The types of personal information of parents we collect and use include:

- The personal details of each child
- Personal details of parents/guardians including NI number, needed so we can access local government funding.
- The payment of fees due
- Details of each child's family/ next of kins/ pick up persons (so we can contact them in case of an emergency)
- Medical/Dietary information (so we can cater for any special needs)
- Ethnic background (this is collected by the local council as part of the process to obtain Nursery Education Funding for your child). This is may also be used when Little Sparrows applies for grants and funding from Government bodies.
- Website and adverting, which we will inform parents about (consent required)

2. **Provision of Education** – This applies to past, current and potential future children and their parents / guardians.

We use this information to ensure that your child's development needs are catered for.

The types of information we collect and use include:

- Developmental Learning Plans, Learning Journals including photograph's and observations and 2 Year Development Checks (in compliance with the EYFS)

## **HOW LONG WE KEEP YOUR INFORMATION FOR:**

### **PARENTS:**

We are required to keep certain personal information including registers and medication records pertaining to the children for at least 3 years after the child has left Little Sparrows. We are required to keep accident records until the child is 21 years old. This is in order to comply with 'Early Years Foundation Stage Welfare Requirements' (given legal force by Childcare Act 2006) and other legislation (e.g. Limitation Act 1980/The Statute of Limitations (Amendment) Act 1991).

## **WHO WE SHARE YOUR INFORMATION WITH:**

### **PARENTS:**

Generally, we only use your information within Little Sparrows. There are some occasions when we need to share personal information about you and / or your child with third parties. These are:

- If you choose to pay for your child's care using vouchers (e.g. Childcare vouchers or Child tax credits) we will share the minimum amount of your personal information necessary with the voucher scheme operator, so they can identify you and make the appropriate payments to Little Sparrows on your behalf.
- If your child is entitled to Nursery Education Funding, we are required to share your personal details with the local council authority in order to identify your child and prove entitlement to funding.
- We may receive requests from government departments ensuring compliance and the safety and welfare of children, such as reporting a child's attendance or where there may be a safeguarding issue.
- We may make requests of developmental information to other professionals such school teachers during transition periods and health visitors (consent obtained)
- Information may be shared with other professionals such as Speech Therapists or Health Visitors.
- In case of an emergency, we may need to share with the emergency services details of a child including details of any medical conditions as provided to us by you.
- Ofsted will be allowed to access a child's developmental records.

## **WHERE WE STORE PERSONAL DATA:**

We have information security measures in place to help protect the personal data on site such as secure passwords on computers and laptops and anti-virus protection. Visitors are never left unsupervised on the nursery's premises and the cleaner has signed a rigorous confidentiality agreement.

## **PARENTS USING OTHER PARENTS DATA**

Many parents choose to join and use social networking sites like WhatsApp and Instagram to connect with other parents. Whilst Little Sparrows has guidelines in place to maintain the safety and confidentiality of its service users, if parents choose to use social network sites we cannot control what happens to your data such as mobile phone numbers or profile pictures being shared. Parents use these services at their own risk.

Parents must not screen shot or share photographs of other children through any messaging service, private or group (including to family members, friends) or post on social media. Breaches of this policy could result in the termination of your contract.

## **CODE OF CONDUCT FOR SOCIAL NETWORKING & MEDIA USERS**

A group chat, private message or social media post must never;

- Be used to air complaints or concerns. (Please see our updated Complaints Procedure)
- Identify children or staff
- Share pictures of other children, staff or the nursery
- Make personal comments about staff, children or other parents
- Discuss incidences between children or staff
- Use threatening behaviour
- Breach confidentiality or disclose personal data or information about any individual that could break the General Data Protection Regulation, 2018

- Bring the Company into disrepute

## AUTHORISED THIRD PARTIES

We use a number of authorised third-parties to provide our services and to assist us in processing your personal information. They are not permitted to use information we share with them for any other purpose.

Using a third party does come with risks such as hacker attacks or unauthorised access which may be out of our control. Whilst Little Sparrows works to protect your information, it is not liable for any breach in data, security, personal injury or fraud.

- **WIX Website:** Secure hosting of Little Sparrows Day Nursery website is essential to both the Nursery and parents. That is why we entrust Wix, an industry leader in secure website hosting. To protect all of our data. Wix terms of use can be found: <https://www.wix.com/about/terms-of-use>
- **Family App:** Secure platform to communicate with staff and parents and to share observations, photo's and videos with parents/carers. The Family app is hosted on Amazon servers based in Germany, which is also used by banks, hospital and public institutions. All data held on our FAMILY account is owned by Little Sparrows; we are registered controllers of data with the Information Commissioner's Office and are bound by the Data Protection Act. Family stores personal information such as your full name, email address, photographs and any other information. Little Sparrows has a Family app policy in place and full terms of the Family app can be found here: <https://family.co/terms-conditions/>
- **Icloud:** Secure hosting on icloud to collectively store photographs & videos in one place that have been taken from all the ipods in the setting. Photograph's are temporally stored on the icloud and then deleted. Full terms of icloud can be found here: <https://www.apple.com/uk/legal/internet-services/icloud/en/terms.html>

## OUR COMMITMENT TO YOU

We will process your personal information in line with the Data Protection Act. This means that we will:

- Only collect and hold information about you which is needed
- Keep your personal information up to date and accurate (to help us do this, please let us know if any of your details change)
- We do not sell your data to third parties
- Take appropriate steps to protect your personal information from being used without permission, or illegally, and to safeguard your rights; and
- Destroy your personal information in a secure way once we no longer need it.

## YOUR RIGHTS OVER YOUR PERSONAL INFORMATION

You have certain rights over your personal information. Most importantly, you have a right to withdraw consent and to ask for a copy of all the personal information we hold about you but there are some legal exceptions to this, such as information which is confidential to Little Sparrows.

If you would like further information on any of the points raised above please speak to Cheryl, the nursery manager.

## WHAT IS A DATA SUBJECT ACCESS REQUEST?

Under the GDPR, individuals have the right to request access to their personal data. This request is a data subject access request and can be made verbally or in writing. When responding to requests, we cannot disclose another's personal data or Little Sparrows confidential information.

Information that we routinely provide to a family as part of our service is not a data subject access request and can be provided as normal. Examples include child development reports, accident reports, care plans and the parent registration/contract

## Associated documents

- Confidentiality Policy
- Record of Retention Sheet