



# Spinney Pre-School GDPR Policy

## **Privacy Notice - Data Protection Act 1998 and General Data Protection Regulations - 2018**

### **Why do we collect and use children's information?**

We collect and use children's information under section 537A of the Education Act 1996, and section 83 of the Children Act 1989.

We also comply with Article 6(1)(c) and Article 9(2)(b) of the General Data Protection Regulation (GDPR).

We use the data to:

- support your child's learning;
- monitor and report on your child's progress;
- provide appropriate pastoral care;
- assess how well we are doing, and
- comply with the law regarding data sharing.

### **Categories of children's information that we collect, hold and share include:**

- Personal information (such as name, and contact details)
- Characteristics (such as ethnicity, language, nationality and country of birth).
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Special educational needs and disability information
- Relevant medical information

### **Collecting children's information**

Whilst the majority of children's 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 children's information to us or if you have a choice in this.

### **Storing children's information**

We hold children's data in line with statutory requirements after the child has left the setting.

### **Who do we share children's information with?**

We routinely share children's information with:

- our local authority – Halton Borough Council
- the Department for Education (DfE)
- Schools/Pre Schools and Nurseries
- Woodview (CDC Centre)
- Speech and Language
- Health Visitors
- Hospitals and Doctors
- Social Care

### **Why we share children's information**

We do not share information about our children with anyone 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.

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the Early Years census) go to - <https://www.gov.uk/search?q=Early+Years+Census>

The DfE may also share child level personal data that we supply to them, with third parties. This will only take place where legislation allows it to do so and it is in compliance with the Data Protection Act 1998 and the General data Protection Regulations 2018.

Decisions on whether DfE releases this personal data to third parties are subject to a robust approval process and are 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 child level data, requestors must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements and retention and use of the data.

For more information on how this sharing process works, please visit:

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

#### **Requesting access to your personal data**

Under data protection legislation, parents 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 records, contact Mrs Anne Rix or your child's Keyperson.

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 / I am collecting or using your personal data, you should raise your concern with us / me in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

**This Policy was adopted at a meeting of the Pre-School held on (date) \_\_\_\_\_**

**Signed on behalf of the Pre-School \_\_\_\_\_**