



St Mark's Pre-school's Privacy Notice

The lawful basis for which St Mark's Pre-school collects and uses information about children is supported by:

Article 6, GDPR (2018) which states that processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

Article 9, GDPR (2018) whereby processing of information can be carried out in the course of St Mark's Pre-school's legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects.

Introduction

St Mark's Pre-school is committed to ensuring that any personal data we hold about you and your child is protected in accordance with data protection laws and is used in line with your expectations.

This privacy notice explains what personal data the pre-school collects, why the pre-school collects it, how it is used and how the pre-school protects it.

What personal data does the pre-school collect?

Personal data about you and your child to provide care and learning that is tailored to meet your child's individual needs.

Information in order to verify your eligibility for free childcare as applicable.

Personal details that the pre-school collects about your child include:

- your child's name, date of birth, address, health and medical needs, development needs, and any special educational needs.

Where applicable the pre-school will obtain child protection plans from social care and health care plans from health professionals.

The pre-school will also ask for information about who has parental responsibility for your child and any court orders pertaining to your child.

Personal details that we collect about you include:

- your name, home and work address, phone numbers, emergency contact details, and family details.

This information will be collected from you directly in the registration form.

If you apply for up to 30 hours' free childcare, the pre-school will also collect:

- your national insurance number or unique taxpayer reference (UTR), if you're self-employed.
- We may also collect information regarding benefits and family credits that you are in receipt of.

Why St Mark's Pre-school collects this information and the legal basis for handling your data

St Mark's Pre-school uses personal data about you and your child in order to provide childcare services and fulfil the contractual arrangement you have entered into. This includes using your data to:

- contact you in case of an emergency;
- support your child's wellbeing and development;
- manage any special educational, health or medical needs of your child whilst at the pre-school;
- carry out regular assessment of your child's progress and to identify any areas of concern;
- maintain contact with you about your child's progress and respond to any questions you may have;
- process your claim for up to 30 hours' free childcare (only where applicable); and
- keep you updated with information about the pre-school.

With your consent, the pre-school will also record your child's activities for their individual learning record. This may include photographs. You will have the opportunity to withdraw your consent for images taken, by confirming so in writing at any time.

St Mark's Pre-school has a legal obligation to process safeguarding related data about your child should the pre-school have concerns about their welfare. The pre-school also has a legal obligation to transfer records and certain information about your child to the school that your child will be attending (see Maintenance, Storage and Transfer of Records Policy).

Why St Mark's Pre-school shares your data and who the pre-school shares it with:

In order for St Mark's Pre-school to deliver childcare services, the pre-school will also share your data as required with the following categories of recipients:

- Ofsted – during an inspection or following a complaint about the pre-school.
- Banking services to process direct debit payments (as applicable).
- Local Authority (for childcare funding claims).
- Government's eligibility checker for funding entitlement (as above).
- Pre-school's insurance underwriter (if applicable).
- School that your child will attend after leaving the pre-school.
- Health professionals and the Local Authority Early Years and Childcare Team (as applicable).
- Pre-school's accountants to draw up invoices.

St Mark's Pre-school will also share your data if:

- the pre-school is legally required to do so, for example, by law, by a court or by the Charity Commission;
- to enforce or apply the terms and conditions of your contract with the pre-school;
- to protect your child and other children, e.g. by sharing information with social care or the police;
- it is necessary to protect the pre-school's or others' rights, property or safety.

St Mark's Pre-school will never share your data with any other organisation to use for their own purposes.

How does St Mark's Pre-school protect your data?

The pre-school protects unauthorised access to your personal data and prevents it from being lost, accidentally destroyed, misused, or disclosed by:

- Storing hard copies of data securely in the pre-school office in cupboards that are locked when the pre-school is closed.
- Storing any personal data that the practitioner team needs to access on a daily basis out of sight within each classroom.
- Storing electronic copies of data on Google Cloud. Access to electronic files containing personal data is restricted to maintain confidentiality. Data is backed up to a hard drive that is stored in the pre-school safe.
- Ensuring any documentation sent electronically is password protected or a personal link is sent to Google Cloud.
- Ensuring all laptops and computers used by the pre-school are password protected.

How long does St Mark's Pre-school retain your data?

The pre-school retains your child's personal data for up to three years after your child no longer attends the pre-school, or until the next Ofsted inspection after your child leaves St Mark's Pre-school. Medication records and accident records are kept for longer according to legal requirements. Your child's learning and development records are maintained by the pre-school and handed to you when your child leaves.

In some instances (child protection, or other support service referrals) we are obliged to keep your data for longer if it is necessary to comply with legal requirements (see our Confidentiality and Access to Client Records Policy and Maintenance, Storage and Transfer of Records Policy).

Automated decision-making

The pre-school does not make any decisions about your child based solely on automated decision-making.

Your rights with respect to your data

You have the right to:

- request access to, amend or correct your/your child's personal data;
- request that we delete or stop processing your/your child's personal data, for example where the data is no longer necessary for the purposes of processing; and

- request that we transfer your, and your child's personal data to another person.

If you wish to exercise any of these rights at any time or if you have any questions, comments or concerns about this privacy notice, or how the pre-school handles your data, please contact the Pre-school Manager. If you continue to have concerns about the way your data is handled and remain dissatisfied after raising your concern with the pre-school, you have the right to complain to the Information Commissioner's Office (ICO). The ICO can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or at www.ico.org.uk/

Changes to this notice

St Mark's Pre-school Committee will keep this notice under regular review. You will be notified of any changes where appropriate.