

## **DATA PRIVACY NOTICE**

Childcare First – service users (children & families)

### **Your personal data – what is it?**

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. The processing of personal data is governed by data protection law including the General Data Protection Regulation 2016/679 (the "GDPR") and the Data Protection Act 2018 ("Data Protection Legislation").

### **Who are we?**

Childcare First Limited is the data controller (contact details below). This means it decides how your personal data is processed and for what purposes.

### **What personal data do we hold?**

- We hold the following categories of personal data in respect of the children in our care:
  - name, address and postcode;
  - age;
  - primary language;
  - dietary requirements and Doctors contact details;
  - identity of family and friends authorised to pick up and drop off the children;
  - relevant health conditions; and
  - names and ages of siblings.
  
- We hold the following categories of personal data in respect of the parents and guardians of children in our care:
  - contact details such as name, address, telephone number and email address; and
  - financial details such as eligibility for financial assistance and bank account details.
  - contact details of employment, training or education departments
  - funding eligibility such as a copy of tax credit award notices
  
- We collect personal data from the parents and guardians of children in our care.

### **How do we process your personal data?**

- Childcare First Limited complies with its obligations under Data Protection Legislation by keeping personal data up to date; we comply with all the requirements of the GDPR, not just those specifically relating to children and included in this checklist
  
- We design our processing with children in mind from the outset.
  
- We make sure that our processing is fair and complies with the data protection principles by:
  - storing and destroying it securely;
  - not collecting or retaining excessive amounts of data;

- protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.
- We use your personal data and the personal data of the children in our care for the following purposes:
  - to support the admissions policy and procedures when applying for placement within the services;
  - assist in understanding the pattern of provision utilised and/or requested by families such as waiting lists, placement planners and days & hours of attendance ;
  - to transfer information during key periods of transition such as Nursery to Primary School;
  - to access specialist support for children and/or families requiring additional support while using our service;
  - to inform the Child's Planning process as outlined within the Getting it Right for Every Child approach in Renfrewshire;
  - to process financial information such as parental fees, apply for secure funded provision for eligible families ;
  - to maintain our own accounts and records;
  - to confirm essential information as requested by HMRC in relation to childcare fees, patterns of attendance and residence details;
  - to inform integrated assessment reports in consultation with Renfrewshire Council, Social Work, Psychological services, NHS, HMRC, Police and Housing where relevant
  - informing the Inspection process as a registered provider of early learning and childcare
  - to fundraise and promote the interests of the charity;
  - to operate CCTV systems for the prevention of crime;
  - to operate the Childcare First Limited web site and deliver the services that individuals have requested;
  - to inform individuals of news, events, activities or services running at Childcare First limited services;
  - to contact individuals via surveys to conduct research about their opinions of current services or of potential new services that may be offered;
  - for contractual purposes; and
  - for any other purpose which we may notify you of from time to time.
- We will only use personal data when the law allows us to. Most commonly, we will use personal data in the following circumstances:
  - Where we need it to perform the contract we are about to enter into or have entered into with you, such as the provision of nursery services;
  - Where it is necessary for our legitimate interests (or those of a third party) and your or your children's interests and fundamental rights do not override those interests; and
  - Where we need to comply with a legal or regulatory obligation.
- Where we process sensitive personal data such as medical or racial information, we will ensure that additional security measures are in place.
- Please note that we may process your personal information without your knowledge or consent, where this is required or permitted by law. Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to taking photographs of children and sending third party direct marketing communications via email or text message. You have the right to withdraw consent to these practices at any time by contacting us.

## **What are my individual rights?**

As children have the same subject rights as adults, and thus, the right to access, they are able to request a copy of data held about them by the Company. It is considered that due to the very young age of these children (aged between 0 and 5 years old), parents will be the primary individuals to make these data requests on their behalf. Parents have the right to contact Childcare First Ltd to find out who processes their data, for how long it may be retained and the reasons for why it is retained. In addition to the right of access, these individuals also have the rights to:

- Request correction of the personal data that we hold about them or their children;
- Request erasure of personal information. We will then delete or remove personal data where there is no good reason for us continuing to process it;
- Object to processing of personal data where we are relying on a legitimate interest to do so. They also have the right to object where we are processing personal data for direct marketing purposes;
- Request the restriction of processing of personal data;
- Request the transfer of personal data to another party; and
- Withdraw consent to the processing of personal data where we rely on consent to do so.

You also have the right to make a complaint to the ICO, the UK's data protection regulatory body.

## **Sharing personal data**

Personal data will be treated as strictly confidential, and will be shared only with Childcare First Limited Senior Managers, Board of Directors, Payroll Department and any relevant external agencies. Where we share personal data with external agencies, we ensure that appropriate security measures are in place.

We may share personal data with third parties outside of the organisation where the wellbeing and protection of a child is concerned in line with our safeguarding duty to protect the welfare of children and protect them from harm and in accordance with the Children (Scotland) Act 1994.

We may also share personal data with specialist services as provided for in the Education (Additional Support for Learning) (Scotland) Act 2004 and related guidance.

## **International transfers of personal data**

We do not transfer personal data outside of the EEA.

## **How long do we keep personal data?**

We keep your personal data for no longer than reasonably necessary, destroy when no longer necessary and recognise the need for such data to be destroyed after a reasonable amount of time.

Notwithstanding the fact that personal data should not be kept for longer than necessary, there are also several requirements to retain information such financial information, for a minimum length of time.

- Children's accident forms are retained for a period of the current year + 3 months
- Service user (children & families) essential information files for are retained electronically in a secure network for a period of 5 years after the child leaves the nursery.
- Children's Medication Forms are retained for a period of 3 months or longer should the administration of the medication be on an as and when required basis.
- Nursery outings forms are held within the service in line with the Care Inspectorate Inspection process, mainly 2 years
- Children's registers are retained electronically in a secure network for a period of 7 years.
- Transfer of information records are help within the services during the Pre School transition year, following the child to School on entry to Primary 1
- Information pertaining to snapshots of Pre School funded placements is retained for a period of 5 years.
- Financial correspondence relevant to eligible funded places is held for a period of 7 years.

To determine the appropriate retention period for other personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

### **Further processing**

If we wish to use your personal data for a new purpose, not covered by this Data Protection Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions.

Whenever necessary, we will seek your prior consent to the new processing.

### **Contact Details**

To exercise all relevant rights, queries of complaints please in the first instance, contact us at:

Childcare First Limited  
 Main Office  
 Fullerton Street  
 Paisley  
 PA3 2NN