



Bedford
Nursery Schools
Federation

Privacy notice for parents and carers – use of your child's personal data

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1. Introduction

Under UK data protection law, individuals have a right to be informed about how our school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **pupils at our school**.

This privacy notice applies while we believe your child is not capable of understanding and exercising their own data protection rights.

We, Peter Pan Nursery School (Edward Road, Bedford, MK42 9DR, 01234 350864) and Cherry Trees Nursery School (Hawkins Road, Bedford, MK42 9LS, 01234 354788), are the 'data controller' for the purposes of UK data protection law.

2. The personal data we hold

We hold personal data about pupils at our school to support teaching and learning, to provide pastoral care and to assess how the school is performing.

Personal data that we may collect, use, store and share (when appropriate) about your child includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Contact Information of families of children and sibling information
- Pupil and curricular records
- Wellbeing and behavior information
- Exclusion information
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers

We may also collect, use, store and share (when appropriate) information about your child that falls into 'special categories' of more sensitive personal data. This includes, but is not restricted to:

- Information about any medical conditions we need to be aware of, including physical and mental health (including allergies and dietary requirements)
- Photographs captured in school
- Information about characteristics, such as ethnic background or special educational needs (SEN)

We may also hold data about your child that we have received from other organisations, including other schools/settings and local authorities.

3. Why we use this data

We collect and use the data listed above to:

- a) Support pupil learning
- b) Monitor and report on pupil progress
- c) Provide appropriate pastoral care
- d) Protect pupil welfare
- e) Assess the quality of our services
- f) Administer and communicating admissions, and managing childcare arrangements including fees and fee processes
- g) Carry out research
- h) Administer school property
- i) Comply with the law regarding data sharing
- j) Make sure our information and communication systems, equipment and facilities (e.g. school computers) are used appropriately, legally and safely
- k) To safeguard pupils (including health and safety)
- l) For marketing purposes (internal and external)

We will only use your child's personal information for the purposes for which we have collected it, unless we reasonably consider that we need to use it for any other reason and that reason is incompatible with the original purpose. If we need to use your child's personal information for an unrelated purpose, we will notify you and explain the legal basis that allows us to do so.

Please note that we may process your child's personal information without your knowledge or consent in compliance with the above rules where this is required or permitted by law.

3.1 Use of your child's personal data in automated decision-making and profiling

We do not currently process any pupils' personal data through automated decision-making or profiling. If this changes in the future, we will amend any relevant privacy notices to explain the processing to you, including your right to object to it.

4. Our lawful basis for using this data

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Our lawful basis for processing

We process personal information in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. Depending on the purpose, we rely on one or more of the following lawful bases.

Public Task

Most of the personal information we collect and use is processed because it is necessary for us to perform our official functions as an educational setting and childcare provider in the public interest.

Relevant legislation includes:

- Education Act 1996
- Childcare Act 2006
- Children Act 1989
- Children Act 2004
- Special Educational Needs and Disability (SEND) legislation
- Early Years Foundation Stage (EYFS) Statutory Framework
- School Standards and Framework Act 1998 (where applicable)

Examples of processing under the Public Task basis include:

- Supporting children's learning and development
- Monitoring and assessing children's progress
- Maintaining educational records
- Providing pastoral care and support
- Identifying and supporting children with additional needs
- Managing admissions and waiting lists
- Communicating with parents about their child's education and nursery provision
- Transferring records when a child moves to another educational setting
- Assessing and improving the quality of nursery services
- Carrying out educational research and statistical analysis for school improvement purposes

Legal Obligation

In some circumstances, we process personal information because we are legally required to do so.

Relevant legislation includes:

- UK GDPR and Data Protection Act 2018
- Children Act 1989 and Children Act 2004
- Childcare Act 2006
- Safeguarding Vulnerable Groups Act 2006
- Working Together to Safeguard Children (statutory guidance)
- Early Years Foundation Stage (EYFS) Statutory Framework
- Health and Safety at Work etc. Act 1974
- Equality Act 2010
- Social Security and Child Support legislation relating to funded childcare
- Local Authority and Department for Education reporting requirements

Examples of processing under the Legal Obligation basis include:

- Maintaining attendance records
- Reporting safeguarding concerns to relevant authorities
- Sharing information with children's social care, police or other safeguarding agencies where required
- Providing information to the local authority regarding funded childcare places
- Maintaining accident, incident and medical records
- Meeting health and safety requirements
- Responding to lawful requests from regulatory bodies such as Ofsted
- Keeping financial records and accounting information
- Sharing data where required by law or court order

Contract

In some circumstances, we process personal information because it is necessary for the performance of a contract with parents or carers, or to take steps prior to entering into a contract.

Examples include:

- Administering nursery places
- Managing childcare arrangements
- Collecting fees and charges
- Processing invoices and payments
- Managing booked sessions and additional services
- Communicating with parents regarding contracted childcare services

Vital Interests

We may process personal information where it is necessary to protect the vital interests of a child or another individual.

Examples include:

- Sharing emergency medical information with healthcare professionals
- Contacting emergency services
- Responding to serious safeguarding concerns where there is an immediate risk of harm

Consent

Where no other lawful basis applies, we will seek consent before processing personal information. Consent can be withdrawn at any time.

Examples include:

- Using photographs or videos in promotional materials
- Publishing photographs on the nursery website
- Sharing images through social media platforms
- Including children's photographs in newsletters
- Using children's work for marketing purposes

How to withdraw consent

Where processing is based on consent, parents and carers may withdraw consent at any time by contacting the nursery office:

Email: peterpan@bedfordnurseryschools.com or cherrytrees@bedfordnurseryschools.com

Withdrawal of consent will not affect the lawfulness of any processing carried out before the consent was withdrawn.

Special Category Personal Data

Some of the information we process is more sensitive and includes health information, ethnicity, religion, biometric data (where applicable), special educational needs, disabilities and safeguarding information.

We process this information in accordance with Article 9 of the UK GDPR and Schedule 1 of the Data Protection Act 2018, including for reasons of:

- Safeguarding children and individuals at risk
- Providing education and childcare services
- Supporting children with additional needs
- Protecting a child's health and welfare
- Compliance with legal and regulatory requirements

4.1 Our basis for using special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and 1 of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your child's personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your child's life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional, or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have obtained your consent to use it in a specific way

- We need to protect an individual's vital interests (i.e. protect your child's life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

5. Collecting this data

We will only collect and use your child's information when the law allows us to as detailed above in section 4 of this notice. While the majority of information we collect about your child is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether you must provide this information

Most of the data we hold about your child will come from you, but we may also hold data about your child from:

- Local authorities
- Government departments or agencies
- Police forces, courts or tribunals
- Other school, settings or trusts
- Department for Education

6. How we store this data

We keep personal information about your child while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary to comply with our legal obligations or to meet our regulatory requirements. Our records management policy sets out how long we keep information about pupils.

We have put in place appropriate security measures to prevent your child's personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your child's personal data securely when we no longer have a legal requirement to retain it.

7. Who we share data with

We do not share information about your child with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required or necessary (and it complies with UK data protection law), we may share personal information about your child with:

- Schools/Settings that your child may attend after leaving us
- Our local authority, Bedford Borough Council– to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions, Early Years funding information, SEN support, Health and Safety
- Government departments or agencies
- Department for Education (e.g. census and school to school transfer)
- Our regulator, Ofsted
- Suppliers and service providers acting on our behalf:
 - Arbor (Management Information System (MIS))

- Arbor Finance- invoicing for childcare fees
- Parent Hub (communications),
- My Concerns (Safeguarding),
- Wonde (Data Integration between MIS and 3rd parties listed above).
- IT Service Provider, administration of our data and remote access
- Financial organisations (bank transactions, including payments made by parents)
- Our Internal auditors (we may need to provide examples of sales invoicing for childcare fees)
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals

7.1 Sharing data with the Department for Education (DfE)

The Department for Education (a government department) collects personal data from schools and local authorities via various statutory data collections. We are required to share information about our pupils with the DfE either directly or via our local authority, via various statutory data collections.

The data shared will be in line with the following relevant legislation:

- Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013

The data is transferred securely and held by the Department for Education under a combination of software and hardware controls that meet the current government security policy framework.

The data we share with the DfE is used for a number of purposes, including to:

- Inform funding
- Monitor education policy and school accountability
- Support research

The information shared with the DfE could include:

- Your child's name and address
- Unique pupil numbers
- Pupil matching reference numbers
- Gender or ethnicity
- Details of any special educational needs (SEN)
- Details of schools attended
- Absence and exclusion information
- Information relating to any contact with children's services

Please note: this list is not exhaustive.

National Pupil Database (NPD)

We are required to provide information about pupils to the DfE as part of statutory data collections such as the school census, Early Years funding and census

Some of this information is then stored in the [National Pupil Database](#) (NPD), which is owned and managed by the DfE and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The DfE may share information from the NPD with third parties, such as other organisations that promote children's education or wellbeing in England. These third parties must agree to strict terms and conditions about how they will use the data.

For more information, see the DfE's webpage on [how it collects and shares personal data](#).

You can also [contact the Department for Education](#) with any further questions about the NPD.

7.2 Transferring data internationally

We may share personal information about your child, where different data protection legislation applies:

Where we transfer your child's personal data to a third-party country or territory, we will do so in accordance with UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

We do not currently transfer data internationally.

8. Your rights

8.1 How to access personal information that we hold about your child

You have a right to make a 'subject access request' to gain access to personal information that we hold about your child.

If you make a subject access request, and if we do hold information about your child, we will (subject to any exemptions that apply):

- Give you a description of it
- Tell you why we are holding it, how we are processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your child's personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

8.2 Your right to access your child's educational record

Parents, or those with parental responsibility, also have the right to access their child's educational record (which includes most information about a pupil). This right applies as long as the pupil is aged under 18.

There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the pupil or another individual, or if it would mean releasing exam marks before they are officially announced.

To make a request, please contact the school office, peterpan@bedfordnurseryschools.com or cherrytrees@bedfordnurseryschools.com

8.3 Your other rights regarding your child's data

Under UK data protection law, you have certain rights regarding how your child's personal data is used and kept safe. For example, you have the right to:

- Object to our use of your child's personal data
- Object to the processing of your child's personal data that is likely to cause, or is causing, damage or distress
- Prevent your child's data being used to send direct marketing
- Object to and challenge the use of your child's personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected or blocked
- In certain circumstances, have the personal data we hold about your child deleted or destroyed, or restrict its processing
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your child's personal data for a specific purpose
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection regulations

We may refuse your information rights request for legitimate reasons, which depend on why we're processing it. Some rights may not apply in these circumstances:

- Your right to have all personal data deleted or destroyed doesn't apply when the lawful basis for processing is legal obligation or public task
- Your right to receive a copy of your personal data, or have your personal data transmitted to another controller, does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests
- Right to object to use of your private data doesn't apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent

See information on types of lawful basis in section 4 of this privacy notice.

To exercise any of these rights, please contact us (see 'Contact us' below).

9. Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concerns about our data processing, please raise this with us in the first instance. You can make a complaint to us at any time by Robin Thomas, contact via peterpan@bedfordnurseryschools.com

Alternatively, you can make a complaint at any time to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

10. Contact us

If you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

➤ [Robin Thomas, contact via cpeterpan@bedfordnurseryschools.com

However, our **data protection lead** has day-to-day responsibility for data protection issues in our school.

If you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact them:

➤ Penny Stubbs, School Business Manager