



Bedford
Nursery Schools
Federation

Privacy notice for parents and carers – use of your 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 you 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

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

- Contact details and contact preferences (such as your name, address, email address and telephone numbers), NI number and date of birth
- Bank details (refunds only)
- Details of your family circumstances
- Details of any safeguarding information including court orders or professional involvement
- Records of your correspondence and contact with us
- Details of any complaints you have made
- Information about your use of our information and communication systems, equipment and facilities (e.g. school computers)

We may also collect, use, store and share (when appropriate) information about you 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 you 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) Report to you on your child's attainment and progress
- b) Keep you informed about the running of the school (such as emergency closures) and events
- c) Process payments for school services (fees)
- d) Provide appropriate pastoral care
- e) Protect pupil welfare
- f) Administer and communicating admissions, and managing childcare arrangements including fees and fee processes
- g) To submit applications for Early Years Funding and to enable the Local Authority to check eligibility for benefits-related Free School Meals (FSM)
- h) Assess the quality of our services
- i) Carry out research
- j) Comply with our legal and statutory obligations
- k) Make sure our information and communication systems, equipment and facilities (e.g. school computers) are used appropriately, legally and safely

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

Please note that we may process your 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 personal data for marketing purposes

Where you have given us consent to do so, we may send you marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to you.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by selecting the 'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

3.2 Use of your 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



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 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 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 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 information when the law allows us to as detailed above in section 4 of this notice. While the majority of information we collect about you 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 you will come from you, but we may also hold data about you 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 you whilst your child is 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 personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your 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 you 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 you with:

- 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, FSM eligibility, 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 Transferring data internationally

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

Where we transfer your 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 you

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

If you make a subject access request, and if we do hold information about you, 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 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).

8.3 Your other rights regarding your data

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

- Object to our use of your personal data
- Object to the processing of your personal data that is likely to cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your 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 you deleted or destroyed, or restrict its processing
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your 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 peterpan@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