

GDPR Privacy Notice

Communications:

At Tigers Day Nurseries we are proud of our open-door policy, and we always have time to talk to parents and children about their needs. We aim to always have a manager in the office to answer any queries or questions you may have.

We use two main systems of contact for parents:

Email: Please ensure we have your most up to date email address to keep up with any contact we may have regarding individual children, including individual risk assessments and fee costs etc.

Parentzone: We use our Parentzone system to contact parents in groups, to send observations and reports on your child and send monthly newsletters. You will receive details of how to set up you ParentZone app on your phone to get alerts for your child with mealtimes, nappy changes and sleep.

We also send out weekly observations which include photos so you can see what your child has been up to at nursery, and parents can send information back to us on events in their child's lives.

Please let us know if you have problems accessing the app.

We will telephone parents or emergency contacts if your child is unwell so, please ensure your telephone numbers are updated as required.

We understand that some families do not live together and that sometimes family circumstances change. We ask Parents to provide us with information relating to family separations and in the event of any changes to parental responsibilities, court orders and injunctions. All matters known by the staff pertaining to the family and the parents' separation remain confidential. We ask parents to inform us of any changes as soon as practicably possible, for us to ensure continuity of care and support for your child.

We provide information on the child's progress, e.g. learning journeys, progress checks within the nursery, to both parents where both hold parental responsibility.

We invite both parents to nursery events, including parental consultations and social events where both hold parental responsibility.

Parents and those with parental responsibility can request information on their child at any time and this will be completed by the child's key worker and uploaded to Parentzone so everyone with parental responsibility will have access to this at the same time. We ensure all those with parental responsibility are able to make equal decisions regarding their child's care at Tigers and will make sure all those have access to information and events regarding their child.

Parental responsibility

While the law does not define in detail what parental responsibility is, the following list sets out some of the key features of someone holding parental responsibility.

These include:

- Providing a home for the child
- Having contact with and living with the child
- Protecting and maintaining the child
- Disciplining the child
- Choosing and providing for the child's education
- Determining the religion of the child
- Agreeing to the child's medical treatment
- Naming the child and agreeing to any change of the child's name
- Accompanying the child outside the UK and agreeing to the child's emigration, should the issue arise
- Being responsible for the child's property
- Appointing a guardian for the child, if necessary
- Allowing confidential information about the child to be disclosed.

If the parents of a child are married to each other at the time of the birth, or if they have jointly adopted a child, then they both have parental responsibility. Parents do not lose parental responsibility if they divorce, and this applies to both the resident and the non-resident parent.

This is not automatically the case for unmarried parents. According to current law, a mother always has parental responsibility for her child. However, a father has this responsibility only if he is married to the mother when the child is born or has acquired legal responsibility for his child through one of these three routes:

- By jointly registering the birth of the child with the mother (from 1 December 2003)
- By a parental responsibility agreement with the mother
- By a parental responsibility order, made by a court.

What is the purpose of this document?

Tigers Day Nurseries are committed to protecting the privacy and security of your personal information.

This privacy notice describes how the nursery collects and uses personal information about children attending the nursery ("child" or "children") and the parents of the children ("parents") (known collectively as "you" or "your"), in accordance with the General Data Protection Regulation (GDPR).

The nursery is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to children and parents. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time but if we do so, we will provide you with an updated copy of this notice as soon as reasonably practical.

It is important that parents read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information and what your rights are under the data protection legislation.

Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes
- Relevant to the purposes we have told you about and limited only to those purposes
- Accurate and kept up to date
- Kept only as long as necessary for the purposes we have told you about
- Kept securely.

The kind of information we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are “special categories” of more sensitive personal data which require a higher level of protection, such as information about a person’s health or sexual orientation.

Children

We will collect, store, and use the following categories of personal information about children:

- Name
- Date of birth
- Home address
- Dietary requirements
- Attendance information
- Photographs and video clips of the child to signpost children to where their belongings are stored at the nursery that they attend, and for general display purposes
- Emergency contact should parents be unavailable and the emergency contact’s contact details
- Records of observations about the child’s development whilst at the nursery from employees of the nursery, specific examples of the child’s progress, photographs demonstrating the child’s development whilst at the nursery, and personal details of the child (e.g. their date of birth)
- Records relating to individual children, e.g. care plans, common assessment frameworks, speech and language referral forms
- Accidents and pre-existing injuries forms
- Records of any reportable death, injury, disease or dangerous occurrence
- Observation, planning and assessment records of children

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about a child’s race or ethnicity, spoken language and nationality
- Information about a child’s health, including any medical condition, health and sickness records
- Information about a child’s accident or incident reports including reports of pre-existing injuries
- Information about a child’s incident forms, child protection referral forms and child protection case details and/or reports.

Parents

We will collect, store, and use the following categories of personal information about parents:

- Name
- Home address
- Telephone numbers, and personal email addresses
- National Insurance number
- Bank account details.

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about a parent’s race or ethnicity, spoken language and nationality
- Conversations with parents where employees of the nursery deem it relevant to the prevention of radicalisation or other aspects of the governments Prevent strategy.

How is your personal information collected?

Children and parents

We collect personal information about children and parents from when the initial enquiry is made by the parents, through the enrolment process and until the children stop using the nursery's services.

How we will use information about you

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to perform the contract, we have entered into with you
- Where we need to comply with a legal obligation
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

- Where we need to protect your interests (or someone else's interests).

Situations in which the nursery will use personal information of children

We need all the categories of information in the list above (see children section within the paragraph entitled 'The kind of information we hold about you') primarily to allow us to perform our obligations (including our legal obligations to children). The situations in which we will process personal information of children are listed below.

- Upon consent from the parents, personal data of children will be shared with schools for progression into the next stage of their education
- Personal information of children will be shared with local authorities without the consent of parents where there is a situation where child protection is necessary
- The personal information of children will be shared with local authorities without the consent of parents for funding purposes
- Ofsted will be allowed access to the nursery's systems to review child protection records
- To ensure we meet the needs of the children
- To enable the appropriate funding to be received
- Report on a child's progress whilst with the nursery
- To check safeguarding records
- To check complaint records
- To check attendance patterns are recorded
- When a child's progress report is given to his/her parent in order for that parent to pass the same progress report to a school for application or enrolment purposes.

Situations in which the nursery will use personal information of parents

We need all the categories of information in the list above (see parents' section within the paragraph entitled 'The kind of information we hold about you') primarily to allow us to perform our contracts with parents and to enable us to comply with legal obligations. The situations in which we will process personal information of parents are listed below.

- The personal information of parents will be shared with local authorities without the consent of parents for funding purposes
- To report on a child's attendance
- To be able to contact a parent or a child's emergency contact about their child
- To ensure nursery fees are paid.

If employees and parents fail to provide personal information

If parents fail to provide certain information when requested, we may not be able to perform the respective contracts we have entered with parents, or we may be prevented from complying with our respective legal obligations to children and parents.

Change of purpose

We will only use your personal information for the purposes for which we 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 the parent, as is appropriate in the circumstances, and we will explain the legal basis which allows us to do so.

Please note that we may process a child's or a parent's personal information without their respective knowledge or consent, as relevant to the circumstances, in compliance with the above rules, where this is required or permitted by law.

How we use particularly sensitive personal information

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We may process special categories of personal information in the following circumstances:

- In limited circumstances, with parent explicit written consent

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect an employee, a child or a parents' interests (or someone else's interests) and the employee, child or parent as is appropriate is not capable of giving consent, or where the employee or parent has already made the information public.

Data sharing

We may have to share child or parent data with third parties, including third-party service providers and other entities in the group.

We require third parties to respect the security of your data and to treat it in accordance with the law.

Why might the nursery share child or parent personal information with third parties?

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

Which third-party service providers process my personal information?

"Third parties" includes third-party service providers (including contractors and designated agents), local authorities, regulatory bodies, schools and other entities within our group. The following third-party service providers process personal information about you for the following purposes:

- Local Authorities – for funding and monitoring reasons (e.g. equal opportunities and uptake of funded hours)
- Regulatory bodies – for ensuring compliance and the safety and welfare of the children
- Schools – to provide a successful transition by ensuring information about the child's progress and current level of development and interests are shared.

How secure is my information with third-party service providers and other entities in our group?

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

What about other third parties?

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. In this situation we will, as far as possible, share anonymised data with the other parties before the transaction completes. Once the transaction is completed, we will share your personal data with the other parties, if and to the extent required, under the terms of the transaction.

We may also need to share your personal information with a regulator or to otherwise comply with the law.

Data retention

How long will you use my information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our retention policy which is available from the manager. To determine the appropriate retention period for 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.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

Once you are no longer a child benefiting from the nursery's services or a parent, as is appropriate, we will retain and securely destroy your personal information in accordance with [our data retention policy **OR** applicable laws and regulations].

Rights of access, correction, erasure, and restriction

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected
- **Request erasure** of your personal information. This enables parents to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below)
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes
- **Request the restriction of processing** of your personal information. This enables parents, as is appropriate, to ask us to suspend the processing of personal information about you for example if you want us to establish its accuracy or the reason for processing it
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the manager in writing.