



The Mulberry Bush Mersea Nursery

Privacy Notice

THE MULBERRY BUSH MERSEA NURSERY

12 MELROSE ROAD, WEST MERSEA, COLCHESTER, ESSEX CO5 8JB

NURSERY DATA PROTECTION OFFICER: NURSERY MANAGER: EMMA PARAMOR

SUPPORTED BY: NURSERY DEPUTY MANAGER: LEANDER TRUNKS

Introduction

We are 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 we collect, why we collect it, how we use it and how we protect it.

What personal data do we collect?

we collect personal data about you and your child to provide care and learning that is tailored to meet your child's individual needs. We also collect information in order to verify your eligibility for free childcare as applicable.

Personal details that we collect about your child include:

- your child's name, date of birth, birth certificate number, address, health, wellbeing and medical needs, development needs, and any special educational needs, cultural, ethnic, first home/other spoken languages, religious and family/cultural/lifestyle background information, any other agencies involved.

Where applicable we will obtain child protection plans from social care and health care plans from health professionals.

We will also ask for information about who has parental responsibility for your child and any court orders pertaining to your child.

This information will be collected from you directly on the nursery registration form and funding forms.

Personal details that we collect about you include: This information will be collected from you directly on the nursery registration form and government funding forms.

- your name, home and work details, home address, contact phone numbers, email address, emergency contact details, home language(s) spoken, cultural background, child's medical conditions, involvement with other agencies such as health, social care, children centres/family hubs as appropriate.

If you apply for up to free childcare funding, we will also need to collect:

- your national insurance number (or unique taxpayer reference (UTR), if you're self-employed). Information regarding any credits that you are in receipt of to qualify for FEEE2 on economic background eligibility and your Ni number and Date of Birth to check eligibility on the funding portal for EYPP. EYPP is an additional small sum of money to boost the government funding hourly rate for some eligible children attending the setting. All funding applications are made on ECC secure portal.

Why we collect this information and the legal basis for handling your data

we use 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
- to support your child's wellbeing and development
- to manage any special educational, health or medical needs of your child whilst at our setting and to enable support and advice from outside agencies and professionals and additional funding to help us to support your child's needs where applicable.
- to carry out regular assessment of your child's progress and to identify any areas of concern
- to maintain contact with you about your child's progress and respond to any questions you may have
- to process your claim for FEEE 15hrs and up to 30 hours free childcare (where applicable)
- to apply for EYPP where applicable
- to keep you updated with information about our service

Digital Learning Journey:

With your consent, we will record your child's activities (photo's) for their individual learning record (paper based or on-line learning journey and for display purposes within the setting. This may include photographs and videos and may also include pictures of your child in groups and with friends for other children at the setting. Photographs and information on the nursery Facebook page will **not** identify any child or parent. Identifiable photographs of children from the nursery

will only be used for public use with specific parental consent i.e. nursery web site, events, and promotional purposes.

We have a legal obligation to record and process safeguarding related concerns about your child should we have concerns regarding their safety and welfare. We have a legal obligation to transfer records and certain information about your child to any other registered setting your child will attend or when they move on to school (see *Transfer of Records* policy). If we have SG concerns about your child you will be normally be informed and your consent agreed prior to a referral to social care unless we feel this could put the child or persons at significant risk of harm or evidence being lost. (see our Child Protection – SG children policy)

Who we share your data with

In order for us to deliver our childcare services we will also share your data as required with the following categories of recipients:

- Ofsted – during an inspection or following a complaint about our service
- banking services to process direct debit payments (as applicable)
- the Local Authority (LA), ECC support services and professional agencies involved with your child/family such as; health, social care, ESCB, (free childcare, SENIF funding, EY census, Better start, One plans, EHCP), Police child protection services as applicable.
- the government's eligibility checker on secure portal (as above)
- our insurance underwriter (if applicable)
- our setting software management provider (Tapestry; secure digital learning journey)
- any EY setting/childminder/school that your child attends, has attended or will be attending

we will also share your data if:

- we are legally required to do so, for example, by law, by a court;
- to enforce or apply the terms and conditions of your contract with us;
- to protect your child and other children; for example, by sharing information with social care or the police;
- it is necessary to protect our/others' rights, property or safety
- we transfer the management of the setting; in which case we may disclose your personal data to the prospective buyer so they may continue the service in the same way.

we will never share your data with any other organisation to use for their own purposes

How do we protect your data?

we protect unauthorised access to your personal data and prevent it from being lost, accidentally destroyed, misused, or disclosed.

Personal and sensitive Information is stored within individual files located in a secure cabinet with restricted access within the nursery office. Historic records that need to be maintained are stored in a separate secure cabinet with restricted access.

How long do we retain your data?

Your child's learning and development records are maintained by us and transferred to you and to their next setting or feeder school when your child leaves. We may retain your child's identifying personal data for up to 1 year after your child has left our setting. Accident records are kept for longer according to legal requirements (21 years). Safeguarding concerns and support service referrals will be forwarded securely to any new registered setting or school the child moves onto. Once we have received a formal receipt for the documents forwarded we will destroy all copies other than the receipt. We may be obliged to keep copies of this data if it is necessary to comply with legal requirements (21 years) should we not receive a receipt from the receiving setting/school (see our Children's and Provider Records policies). These will be kept as hard copies and stored securely.

Automated decision-making

we do not make any decisions about your child based solely on automated decision-making. Or explain details if this is the case.

Your rights with respect to your data

You have the right to:

- request access, amend or correct your/your child's and family personal data (not SG records)
- 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 registered person/provider.

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 we handle your data please contact us. If you continue to have concerns about the way your data is handled and remain dissatisfied after raising your concern with us, you have the right to complain to the Information Commissioner Office (ICO). The ICO can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or ico.org.uk/

Our ICO registration reference number is: ZA062542

Changes to this notice

we keep this notice under regular review and amend as updates arise to ensure we are in-line with current Data protection and GDPR requirements. You will be notified of any changes where appropriate.

POLICY ADOPTED: 20/09/2020

LAST REVIEW DATE: 29/04/2025