**Safeguarding and Welfare Requirement: Information and Records**

Confidential information and records about staff and children must be held securely and only accessible and available to those who have a right or professional need to see them.

**10.12 Data Privacy Notice**

**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 the General Data Protection Regulation (the GDPR)

**Who are we?**

The Tudor House Montessori Group is the data controller and this means that it decides how your personal data is processed and for what purposes.

**What information do we hold on your children?**

This information includes date of birth, passport numbers, contact details of parents/carers, attendance information, characteristics such as ethnic group, religion, any safe guarding arrangements, special educational needs and any relevant medical information. Children are **not** able to give consent for their own data until they are 16, so as part of our “registration and induction process” for new parents they will receive a copy of our **Data Privacy Notice** (10.12 ) and will have to complete a consent form for us to hold and process their own and their child’s personal data.

In addition we hold personal information on parents/carers such National Insurance Numbers and Date of Birth.

In our personnel records for team members we hold contact details, personal information, DBS details, bank details and medical information.

**How do we process this personal data?**

The Tudor House Montessori Group complies with its obligations under the GDPR by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data: by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that sufficient technical measures are in place to protect personal data.

We use this personal data for the following purposes:-

* Support children’s development, monitor their progress and support their well-being.
* To administer our setting records
* To administer our personnel files
* To administer our financial records
* To keep parents informed of their children’s well-being, news and events

**What is the legal basis for processing your personal data?**

* Our nurseries have legal obligations that require us to collect, process and store personal information in compliance with the Early Years Foundation Stage Statutory Framework (EYFS) and Ofsted. **NB.** These legal obligations override GDPR and therefore we **do not require** consent to record and process certain data from parents or children.
* Our **Local Authority** (LA) uses information about children to carry out specific functions which it is has a legal responsibility for e.g. the LA will make an assessment of any special education needs your child may have.
* Processing is necessary for carrying out obligations concerning employment and HMRC

**Sharing your personal data**

Your personal data will be treated as strictly confidential and will only be shared following our [10.6 Confidentiality and Client Access to Records](https://shop.pre-school.org.uk/downloads?file=polic13/10%209%20Confidentiality%20and%20Client%20Access%20to%20Records%20-%20June%202015.doc)  and [10.7 Information Sharing](https://shop.pre-school.org.uk/downloads?file=polic13/10.10%20Information%20Sharing%20-%20June%202015.doc) policies. You can request to view a copy of these in your child’s nursery. To summarize:-

* The Tudor House Montessori Group has a legal obligation to disclose any information to the Local Safeguarding Children’s Board that is related to the safeguarding of a child.
* The Tudor House Montessori Group will share your information with West Sussex County Council to ensure your child is able to receive the Early Years Free Entitlement
* The Tudor House Montessori Group will share information with the primary school that the child will eventually attend or another setting that they will move to.
* The Tudor House Montessori Group will share information with your consent and prior knowledge with other outside agencies such as Health Visiting service, Children and Family Centre, Targeted Setting Support (TSS) Family Support Hub, Sensory Support and other child-care professionals etc.

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

We keep data in accordance with the guidance set out in the Statutory Framework of the Early Years Foundation Stage 2017, Limitation Act 1980, keeping children safe in Education 2016, OFSTED, Childcare Register 2016, and HMRC. Retention periods are detailed in our 10.11 Data Retention Period for Records found in our nursery policy folder.

**Your rights and your personal data**

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data:-

* The right to request a copy of your personal data which the nursery setting holds about you.
* The right to request that the nursery setting corrects any personal data if it is found to inaccurate or out of date.
* The right to request your personal data is erased where it is no longer necessary for the setting to retain such data.
* The right to withdraw your consent to the processing at any time.
* The right to request that the Tudor House Montessori Group (current data controller) provide the data subject with his/her personal data and where possible, to transmit that data directly to another data controller.
* The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing.
* The right to object to the processing of personal data.
* The right to lodge a complaint with the Information Commissioners Office (ICO) of which we are registered with as a Data Controller

**Further processing**

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

**Consent Details**

To exercise all relevant rights, queries or complaints please contact us in the first instance on

01444 241491 or by email info@tudorhousegroup.co.uk or in writing to Tudor House Montessori Group, Gloucester Road, Burgess Hill, West Sussex, RH15 8QD.

You can contact the Information Commissioners Office help line on 0303 123 1113

**Legal framework**

* General Data Protection Regulation (GDPR) (2018)
* Early Years Foundation Stage Statutory Framework (2017)
* Ofsted Child Care Register 2016

### Further guidance

* Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (HM Government 2015)

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| This policy was adopted by | Tudor House Montessori Group | *(name of provider)* |
| In | April 2018 | *(date)* |
| Date to be reviewed | April 2019 | *(date)* |
| Signed by |  |
| Names of signatories | Carole Anne Benson and Julie Roberts |
| Roles of signatories | Registered person and Group Manager |