

Harmony House Nurseries (February 2018)

Privacy Notice (How we use children's information)

- **The categories of children's information that we collect, hold and share include:**

The DfE and government require us to collect a lot of data by law, so that they can monitor and support Nurseries more widely, as well as checking on individual Nursery's effectiveness.

- Personal information – e.g. names, children's/parents numbers and addresses
- Characteristics – e.g. ethnicity, language, nationality, country of birth and free Nursery meal eligibility
- Attendance information – e.g. number of absences and absence reasons
- Assessment information – e.g. national curriculum assessment results
- Relevant medical information
- Information relating to SEND and health needs
- Behavioural information – e.g. number of temporary exclusions

- **Why we collect and use this information**

We use the children's data to:

- enable good quality, targeted learning for individuals,
- provide suitable care and support for children,
- assess and monitor pupil progress,
- monitor our effectiveness as an Early Years Provider
- comply with the law regarding data sharing,
- to protect and safeguard children.

- **The lawful basis on which we use this information**

We make sure that information we collect and use about children's is in line with the GDPR and Data Protection Act. This means that we must have a lawful reason to collect the data, and that if we share that with another organisation or individual we must have a legal basis to do so.

The lawful basis for Nurseries/Early Years to collect information comes from a variety of sources, such as the Education Act 1996, Regulation 5 of The Education (Information about Individual Children's) (England) Regulations 2013, Article 6 and Article 9 of the GDPR.



The Department for Education and Local Authorities require us to collect certain information and report back to them. This is called a 'public task' and is recognised in law as it is necessary to provide the information.

We also have obligations to collect data about children who are at risk of suffering harm, and to share that with other agencies who have a responsibility to safeguard children, such as the police and social care.

We also share information about children who may need or have an Education Health and Care Plan (or Statement of Special Educational Needs). Medical teams have access to some information about children, either by agreement or because the law says we must share that information, for example for children with SEN, carers services, occupational therapists are the type of people we will share information, so long as we have consent or are required by law to do so.

In our Nurseries we also use various third party tools to make sure that children's best interests are advanced. This includes financial software to manage Nursery budgets, which may include some pupil data. We use software to track progress and attainment. We must keep up to date information about parents and carers for emergency contacts.

We also use contact information to keep children's, parents and carers up to date about Nursery events.

- **Collecting child's information**

Whilst the majority of child's information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

- **Storing child's data**

We hold children's data for 3 years after they have left the provision.

- **Who we share child's information with**

We routinely share pupil information with:

- Nurseries or schools that the children attend after leaving us
- our local authority
- the Department for Education (DfE)

- **Why we share child's information**

We do not share information about our children with anyone without consent unless the law and our policies allow us to do so.

We share children's data with the Department for Education (DfE) on a statutory basis. This data sharing underpins our Early Year settings funding and educational attainment policy and monitoring.

We are required to share information about our children with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information about Individual Children) (England) Regulations 2013.

- **Data collection requirements:**

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the Nursery census) go to

<https://www.gov.uk/government/publications/early-years-census-2018-guide>

- **The National Pupil Database (NPD)**

The NPD is owned and managed by the Department for Education and contains information about children's in Nurseries in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including Nurseries, local authorities and awarding bodies.

We are required by law, to provide information about our children to the DfE as part of statutory data collections such as the Nursery census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information about Individual Children's) (England) Regulations 2013.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our children from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to child's information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.



For more information about the department's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact DfE: <https://www.gov.uk/contact-dfe>

• Requesting access to your personal data

Under data protection legislation, parents and children's have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact DPO/Data Representative, Harmony House Dagenham, Baden Powell Close, Dagenham RM9 6XN.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Contact

If you would like to discuss anything in this privacy notice, please contact:

Ravi Pillai, Harmony House Dagenham CIC, Baden Powell Close, Dagenham RM9 6XN

rpillai@harmonyhousedagenham.org.uk