

**GDPR Privacy Notice**

1. **Privacy notice for parents/carers**

Under data protection law, individuals have a right to be informed about how the pre-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 **children**.

We, Newdigate pre-school are the ‘data controller’ for the purposes of data protection law.

Our data protection officers are **Joanne Johnson and Tammi Stanford.**

**The personal data we hold**

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

* Contact details, contact preferences, date of birth, identification documents
* Results of internal and external assessments
* Children and curricular records
* Characteristics, such as ethnic background, eligibility for free funding or special educational needs
* Details of any medical conditions, including physical and mental health
* Attendance information
* Safeguarding information
* Details of any support received, including care packages, plans and support providers
* Photographs
* CCTV images captured in the school grounds

We may also hold data about pupils that we have received from other organisations, including other settings, local authorities and the Department for Education.

**Why we use this data**

We use this data to:

* Support, monitor and report on child progress
* Provide appropriate pastoral care
* Protect child welfare
* Assess the quality of our services
* Administer admissions waiting lists
* Carry out research
* Comply with the law regarding data sharing

**Our legal basis for using this data**

We only collect and use children’s’ personal data when the law allows us to. Most commonly, we process it where:

* We need to comply with a legal obligation
* We need it to perform an official task in the public interest

Less commonly, we may also process children’s’ personal data in situations where:

* We have obtained consent to use it in a certain way
* We need to protect the individual’s vital interests (or someone else’s interests)

Where we have obtained consent to use children’s’ personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using children’s’ personal data overlap, and there may be several grounds which justify our use of this data.

**Collecting this information**

While the majority of information we collect about children is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

**How we store this data**

We keep personal information about children while they are attending our pre-school. We may also keep it beyond their attendance at our pre-school if this is necessary in order to comply with our legal obligations. The [*Information and Records Management Society’s toolkit for schools*](http://irms.org.uk/?page=schoolstoolkit&terms=%22toolkit+and+schools%22)sets out how long we keep information about pupils.

**Data sharing**

We do not share information about children 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 data protection law) we may share personal information about children with:

* *Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions*
* *The Department for Education including Ofsted, Central and local government*
* *The child’s family and representatives*
* *Health authorities and professional advisers and consultants for Health and social welfare organisations*
* *Security organisations*
* *Police forces, courts, tribunals*

**Transferring data internationally**

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

**Parents and children’s’ rights regarding personal data**

Individuals have a right to make a **‘subject access request’** to gain access to personal information that the pre-school holds about them.

Parents/carers can make a request with respect to their child’s data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

* Give you a description of it
* Tell you why we are holding and processing it, and how long we will keep it for
* Explain where we got it from, if not from you or your child
* 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

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please contact our data protection officer.

Parents/carers also have a legal right to access to their child’s data held by the pre-school. To request access, please contact the manager.

**Other rights**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

* Object to the use of personal data if it would cause, or is causing, damage or distress
* Prevent it being used to send direct marketing
* Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
* In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
* Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

**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 concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner’s Office:

* Report a concern online at <https://ico.org.uk/concerns/>
* Call 0303 123 1113
* Or write to: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

**Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our data protection officer:

**2. Privacy notice for staff**

Under data protection law, individuals have a right to be informed about how the pre-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 individuals we employ, or otherwise engage, to work at our school.

We, Newdigate pre-school are the ‘data controller’ for the purposes of data protection law.

Our data protection officers are Joanne Johnson and Tammi Stanford.

**The personal data we hold**

We process data relating to those we employ, or otherwise engage, to work at our pre-school. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

* Contact details
* Date of birth, marital status and gender
* Next of kin and emergency contact numbers
* Salary, annual leave, pension and benefits information
* Bank account details, payroll records, National Insurance number and tax status information
* Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
* Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
* Performance management information
* Outcomes of any disciplinary and/or grievance procedures
* Absence data
* Photographs for our school website
* CCTV footage

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

* Race, ethnicity, religious beliefs,
* Health, including any medical conditions, and sickness records

**Why we use this data**

The purpose of processing this data is to help us run the pre-school, including to:

* Enable you to be paid
* Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
* Support effective performance management
* Inform our recruitment and retention policies
* Allow better financial modelling and planning
* Enable ethnicity and disability monitoring
* Improve the management of workforce data across the sector

**Our lawful basis for using this data**

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

* Fulfil a contract we have entered into with you
* Comply with a legal obligation
* Carry out a task in the public interest

Less commonly, we may also use personal information about you where:

* You have given us consent to use it in a certain way
* We need to protect your vital interests (or someone else’s interests)

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the pre-school’s use of your data.

**Collecting this information**

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

**How we store this data**

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with our Information and Records Management Society’s toolkit for schools.

**Data sharing**

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about you with:

* *Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns*
* *The Department for Education including their inspectorate Ofsted*
* *Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll*
* *Central and local government*
* *Health authorities and social welfare organisations*
* *Professional advisers and consultants*
* *Charities and voluntary organisations*
* *Police forces, courts, tribunals*
* *Professional bodies*

**Transferring data internationally**

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

**Your rights**

**How to access personal information we hold about you**

Individuals have a right to make a **‘subject access request’** to gain access to personal information that the pre-school holds about them.

If you make a subject access request, and if we do hold information about you, we will:

* Give you a description of it
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* 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 our data protection officer.

**Your other rights regarding your data**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

* Object to the use of your personal data if it would cause, or is causing, damage or distress
* Prevent your data being used to send direct marketing
* Object to 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, deleted or destroyed, or restrict processing
* Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

**Complaints**

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If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner’s Office:

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