

## FSN Early Years Privacy Notice

### How we use children's information

FSN Nurseries process personal information about its children and is a 'data controller' for the purposes of Data Protection legislation. We collect information from you and may receive information about your child from their previous setting.

### How do we process your personal data?

FSN complies with its obligations under 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 appropriate technical measures are in place to protect personal data.

### The categories of child level information that we collect, hold and share include:

- Personal information (such as name and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Safeguarding information
- Medical information (such as ongoing medical conditions, signed medication records).
- Accident and incident information (individual to every child)
- Assessment information (such as summative assessments, monitoring tools for areas of development)
- 27 month check assessments (Progress review of age and stage of development, Health comments including; hearing, behaviour, routines, vision, height, weight, immunisations, oral health, diet and nutrition, hospital and A & E admissions) )
- Special educational needs (such as Individual setting based support plans)

### Why we collect and use this information

We use the children's data:

- to support children's learning
- to monitor and report on children's progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing

## Collecting children's information

Whilst the majority of child level 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 child level information to us or if you have a choice in this.

## Storing pupil data

We hold children's data until the child reaches the age of 21 or until the child reaches the age of 24 for child protection records.

## Who we share children's information with

We routinely share children's information with:

- Settings/schools that the children attend after leaving us
- Our local authority
- The Department for Education (DfE)
- Health services (including health visitors, ISEND, Integrated therapy service)
- Children's Services

## Why we share children's information

We do not share information about our children 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, and local NHS agencies. This data sharing underpins the settings funding and educational attainment policy and monitoring.

## Data collection requirements:

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the early years census) goes to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

## The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education and contains information about pupils in schools 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 schools, 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 school 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 Pupils) (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 pupil 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 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 Tracey Rose, Chief Executive, 01424-423683, [trose@fsncharity.co.uk](mailto:trose@fsncharity.co.uk)

FSN understand the need to protect the privacy of the children in their care as well the legal requirements that exist to ensure that information relating to the child is handled in a way that ensures confidentiality. Parents and/or carers can request access to all records about their child, provided that no relevant exemptions apply to their disclosure under the GDPR. (EYFS Statutory Guidance 2017)

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

### **Data Protection Officer**

Tracey Rose, CEO; 01424-423683, [trose@fsncharity.co.uk](mailto:trose@fsncharity.co.uk)

You can contact the Information Commissioners Office on:

0303 123 1113 or e-mail: <https://ico.org.uk/global/contact-us/email/>

Or writing to:

Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

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/>