



## Privacy notice for parents/carers (GDPR), use of your child's personal data

Under data protection law, individuals have a right to be informed about how Curious Explorers Ltd uses any personal data that we store and use about our parents and your children. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **children/parents**.

We, Curious Explorers Ltd, are the 'data controller' for the purposes of data protection law.

Our data protection officer is the nursery manager. (see 'Contact us' below).

### The personal data we hold

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

- Contact details, contact preferences, date of birth, birth certificates
- Characteristics, such as ethnic background, eligibility for free school meals, 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
- Assessment data
- Learning opportunity

We may also hold data about pupils that we have received from other settings.

### Why we use this data

We use this data to:

- Support children's learning/development
- Monitor and report on children's progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions

### Our legal basis for using this data

[\*ICO's guidance on the lawful basis for processing.\*](#)

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 (Early Years statutory framework)
- We need it to perform an official task in the public interest (census)

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Where we have obtained consent to use children's personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.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 most of the information we collect about children's 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 locked away in our safe while they are attending our setting. We may also keep it beyond their attendance at our setting if this is necessary in order to comply with our legal obligations. We keep all children's files until they reach 21 as this is our legal obligation. (Our record retention schedule sets out how long we keep information about pupils.

### **Data sharing**

No information will be given about your child to anyone without prior consent unless the law allows us to do so under Article 6(1)(c)

- *Our local authority – to meet our legal obligations to share certain information with them, such as safeguarding concerns or for funding purposes*
- *The Department for Education - Census*
- *The child's family and representatives*
- *Staff*
- *Our regulator - Ofsted*
- *Suppliers and service providers – to enable them to provide the service we have contracted them for such as Daily Connect and Tapestry*
- *Financial organisations - Quickbooks*
- *Central and local government - Funding*
- *Health and social welfare organisations*
- *Professional advisers and consultants*
- *Police forces, courts, tribunals*
- *Professional bodies – Child protection*

### **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 setting 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.

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 (Nursery Manager).

Parents/carers also have a legal right to access to their child's **educational record**. To request access, please contact the Nursery Manager to request your child's learning journey. You will receive an electronic copy of your child's learning journey once they leave our setting.

### 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 (Nursery Manager).

### 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**:

- Nursery Manager – 01252718871 (Farnham), 01252613609 (Fleet)