

Child and Parent Data Privacy Notice



1. Data Controller

Northumbria University Nursery Ltd is a wholly owned subsidiary company of **The University of Northumbria at Newcastle**, a registered Data Controller with the Information Commissioner’s Office (‘ICO’), which is the supervisory authority responsible for the oversight and enforcement of Data Protection Legislation within the United Kingdom.

Data Controller Registration Number: ZB0300952

2. Overview

For purposes of this Privacy Notice, personal data means any information about an identifiable individual. Personal data excludes anonymous or de-identified data that is not associated with a particular individual.

This privacy notice is a statement that describes how and why Northumbria University Nursery Ltd (“we”, “our”, “us”) processes personal data in relation to any child or parent (“you”, “your”) as a prospective, current and past customer.

This notice also explains how you might control the use of your personal data in accordance with your rights under the GDPR. You may be given further information about the uses of personal data when accessing specific services and facilities.

3. Where do we get your personal data from?

You provide data to us through the enquiry and application process, either via telephone, exchange of correspondence or submission of an application.

Data is further collected or updated when you become our customer, either through the enrolment process, through your own updates submitted to us or via transactional activities as part of your engagement with our services and facilities.

4. Categories of personal data are processed by us.

To carry out our activities and obligations to you, we may collect, store, and process the following categories of personal:

Children	Parents
<ul style="list-style-type: none">○ Name○ Date of birth○ Home address○ Dietary requirements○ Attendance information○ Photographs and video clips of the Child to signpost Children to where their belongings are stored at the Nursery that they attend, and also for general display purposes	<ul style="list-style-type: none">○ Name○ Home address○ Telephone numbers, and personal email addresses.○ National Insurance number.○ Bank account details.○ Fingerprint (for BIO-METRIC access to Nursery)

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<ul style="list-style-type: none"> ○ Emergency contact should Parents be unavailable and the emergency contact's contact details ○ Electronic/paper Learning Journey for each Child containing the work of the Child whilst at the Nursery, observations about the Child's development whilst at the Nursery from Employees of the Nursery, specific examples of the Child's progress, photographs demonstrating the Child's development whilst at the Nursery, and personal details of the Child (e.g. their date of birth) ("Progress Report") ○ Records relating to individual Children e.g. care plans, common assessment frameworks, speech and language referral forms ○ Accidents and pre-existing injuries forms ○ Records of any reportable death, injury, disease or dangerous occurrence ○ Observation, planning and assessment records of Children 	
<p>We will collect, store, and use the following categories of personal information about Children:</p>	
<ul style="list-style-type: none"> ○ Information about a Child's race or ethnicity, spoken language and nationality. ○ Information about a Child's health, including any medical condition, health and sickness records. ○ Information about a Child's accident or incident reports including reports of pre-existing injuries. ○ Information about a Child's incident forms / child protection referral forms / child protection case details / reports. 	<ul style="list-style-type: none"> ○ Information about a Parent's race or ethnicity, spoken language and nationality. ○ Conversations with Parents where Employees of the Nursery deem it relevant to the prevention of radicalisation or other aspects of the governments Prevent strategy.

5. Activities we process your personal data for and the lawful basis

Under **Article 6** EU GDPR we must identify a basis for the "Lawfulness of processing" of our activities involving of your data. These are broadly described as: 'Consent', 'Contract', 'Legal Obligation', 'Vital Interests', 'Public Interest (or Public Task)' and 'legitimate interests'.

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In addition to the lawful basis under Article 6, **Article 9** requires an additional condition for processing “**special categories**” (a.k.a “Sensitive”) of personal data” relating to racial or ethnic origin, political opinions, religious or philosophical data concerning health or data concerning a natural person's sex life or orientation.

Situations in which the Nursery will use personal information of Children

We need all the categories of information in the list above (see Children section within the Paragraph entitled ‘The Kind of Information We Hold About You’) primarily to allow us to perform our obligations (including our legal obligations to Children. The situations in which we will process personal information of Children are listed below.

- Upon consent from the Parents, Personal Data of Children will be shared with schools for progression into the next stage of their education.
- Personal information of Children will be shared with local authorities without the consent of Parents where there is a situation where child protection is necessary.
- The personal information of Children will be shared with local authorities without the consent of Parents for funding purposes.
- Ofsted will be allowed access to the Nursery’s systems to review child protection records.
 - To ensure we meet the needs of the Children
 - To enable the appropriate funding to be received
 - Report on a Child’s progress whilst with the Nursery
 - To check safeguarding records
 - To check complaint records
 - To check attendance patterns are recorded
 - When a Child’s Progress Report is given to its Parent in order for that Parent to pass the same Progress Report to a school for application or enrolment purposes

Situations in which the Nursery will use personal information of Parents

We need all the categories of information in the list above (see Parents section within the Paragraph entitled ‘The Kind of Information we Hold About You’) primarily to allow us to perform our contracts with Parents and to enable us to comply with legal obligations. The situations in which we will process personal information of Parents are listed below.

- The personal information of Parents will be shared with local authorities without the consent of Parents for funding purposes.
- To report on a Child’s attendance
- To be able to contact a Parent or a Child’s emergency contact about their Child
- To ensure nursery fees are paid
- Providing building access through the use of biometric fingerprint scanning with your consent.

Please note that the above is not an exhaustive list and some of the above grounds for processing will overlap - there may be several grounds which justify our use of an Employee’s personal information.

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Additional processing activities associated with your employment or your engagement with our services and facilities may be required, for example discussions at your request with your trade Union representative. We will endeavour to seek consent to further process where applicable, unless processing is permitted under a relevant lawful basis.

6. Personal Data may be shared with

"Third parties" includes third-party service providers (including contractors and designated agents), local authorities, regulatory bodies, schools and other entities within our group. The following third-party service providers process personal information about you for the following purposes:

- Local Authorities – for funding and monitoring reasons (e.g. equal opportunities and uptake of funded hours)
- Regulatory bodies – for ensuring compliance and the safety and welfare of the children
- Schools – to provide a successful transition by ensuring information about the child's progress and current level of development and interests are shared

Any other disclosures that may be required but not listed above will be in accordance with your rights and the requirements of the GDPR.

7. Transfers to third party countries

If you are applying from, or if your employment involves any period of study or employment outside of the European Economic Area (EEA) (known as 'Third Party Countries') we may transfer your data to support this.

Some of our partners, IT services or suppliers are also hosted by organisations either in third party countries, or who may back up their data to locations based in third party countries.

Where data is shared with third party countries, we ensure that these countries are either approved by the European Commission as having 'adequate protection' or we put in place 'appropriate safeguards' and contracts with these organisations, so as to maintain the security of the data and your rights under relevant Data Protection legislation.

8. How personal data is stored securely by us

We have implemented appropriate physical, technical, and organisational security measures designed to secure your personal data against accidental loss and unauthorised access, use, alteration, or disclosure. In addition, we limit access to personal data to those employees, agents, contractors, and other third parties that have a legitimate business need for such access.

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All of our employees, contractors and volunteers with access to personal data receive mandatory data protection training and have a contractual responsibility to maintain confidentiality and access to your data is restricted to those members of staff who have a requirement to access it. Your data may be transferred and processed between relevant departments in order to provide you with access to services, to provide you with support or to fulfil the processing activities listed above.

We utilise many different storage solutions and IT systems, some of which are outsourced to third party providers. For example, email accounts are provided by the Microsoft Live@Edu service.

Where processing takes place with an external third party, processing takes place under an appropriate agreement outlining their responsibilities to ensure that processing is compliant with the Data Protection legislation and verified to be secure.

9. Automated individual decision making, including profiling

We do not use “**Automated Decision Making**” (where systems make decisions about you ‘automatically’ without human intervention) or ‘**Profiling**’ (where information about you is used to tailor goods or services based on your interests, movement or records of your activities) for staff data.

10. How long personal data held by Northumbria University

Your data is held in compliance with Nursery section of Northumbria University’s retention schedule, which is published on our [website](#).

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our retention policy which is available from the manager. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

11. Your Rights under GDPR

Under the GDPR, you have a number of rights in relation to the processing of your personal information, each of which may apply to differing degrees’ dependent upon the nature of the processing and the legal basis for it. You have the right to:

- Be informed as to how we use your data (via this privacy notice)
- Request access (a copy) of the personal information that we hold about you.
- Correct inaccurate or incomplete data



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- Request that we stop sending you direct marketing communications.

In certain circumstances, you may have the right to:

- Ask to have your data 'erased'.
- Request is to restrict the processing of your personal data.
- Request that data you provided electronically to us be returned in as a data file
- Object to certain processing of your personal data by us

In some cases, there may be specific exemptions as to why we aren't able to comply with some of the above. Where this is the case, we will explain the reasons why.

For more information about any of the above please see the GDPR pages of our website.

In order to exercise any of the above rights, please contact the Data Protection Officer (*details below*).

12. Data Protection Officer

The Data Protection Officer for Northumbria University is Duncan James.

If you would like to:

- Receive a copy of your data.
- Have any questions which you feel have not been covered by this Privacy Notice
- Have any concerns about the processing of your data
- Wish to make a complaint about the processing of your data

Please do not hesitate to email us at dp.officer@northumbria.ac.uk. If your request is urgent, please call +44 (0)191 243 7357

13. Lodging a Complaint with the Information Commissioners Office (ICO)

If you are dissatisfied with our processing of your data, or a response to a complaint you have made to us about it, you have the right to complain to the ICO.

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 0303 123 1113 (local rate) or 01625 545 745
Fax: 01625 524 510

For more information see [Information Commissioner's web site](#).

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14. Changes to this privacy notice

We keep this privacy notice under regular review and will communicate any significant updates to you. This privacy notice was last updated in May 2018 and will be reviewed annually.