

Privacy Notice for Parents/Carers of children attending

- Nursery,
- Stay and Play,
- After School,
- Youth & Play or Holiday Clubs



Purpose of this document

Manchester Settlement is committed to protecting the privacy and security of your personal information. This privacy notice describes how the Nursery, Stay and Play service, After School and Holiday Clubs collect and use personal information about children and young people attending the Nursery or Clubs (“Child” or “Children”) and the parents/carers of the Children (“Parent” or “Parents”) (known collectively as “You” or “Your”), in accordance with the Data Protection Act 2018.

Manchester Settlement is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about You. We are required under data protection legislation to notify You of the information contained in this privacy notice.

It is important that Parents read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about You, so that You are aware of how and why we are using such information and what Your rights are under the data protection legislation.

Data Protection Principles

We will comply with data protection law. This says that the personal information we hold about You must be:

1. Used lawfully, fairly and in a transparent way
2. Collected only for valid purposes that we have clearly explained to You and not used in any way that is incompatible with those purposes
3. Relevant to the purposes we have told You about and limited only to those purposes
4. Accurate and kept up to date
5. Kept only as long as necessary for the purposes we have told You about
6. Kept securely

The kind of information we hold about you and why

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). There are “special categories” of more sensitive personal data which require a higher level of protection, such as information about a person’s beliefs, health, ethnic origin, or sexual orientation.

Children

We will collect, store, and use the following categories of personal information about the Child:

- Personal and contact details such as name, home address, date of birth, gender including e.g. a birth certificate for proof of age
- Attendance information as part of a register

- Information about attendances at previous nurseries (Nursery only)
- Photos and video clips of children (Nursery only)

We use this information to:

- Manage the Child's participation in our services
- Provide a safe service that meets our legal requirements
- So we can ensure continuity of care from any previous educational setting (Nursery only)
- So we can keep a record of the Child's development (Nursery only)
- To keep a register of and report on the Child's attendance (Nursery only)

In addition to adding to the Child's development record, we may use photos and video clips of the Child, to signpost children to where their belongings are stored at the nursery or for general display, publication or media purposes to advertise our services or demonstrate our impact to our funders. We will only ever do this with Your consent.

Parents

We will collect, store, and use the following categories of personal information about the Parent:

- Personal and contact details such as name, address, email, telephone number, National Insurance number
- Information about emergency contacts
- Information about the relationship between a child and any adults who may come into contact with the service, such who has as parental responsibility
- Your bank account details
- Financial records (hours and amount of funding received for child) as part of a funding register to show all children funds, as well as details of amount paid and owing and any eligibility codes you have for free childcare from the government (Nursery only)
- Your national insurance number, asylum reference number and eligibility codes you may have for free childcare from the government code for free childcare (Nursery only)

We use this information:

- So we know who to contact in an emergency or if the Parent is not available
- So we know who is able to collect or make decisions on behalf of the Child
- To ensure fees are paid and any overpayments can be returned to you
- So we can manage any funding you are eligible for free childcare (Nursery only)

How we use special categories of personal data

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We may process special categories of personal information in the following circumstances.

Children

We will collect, store, and use the following special categories of personal information about children:

- Information about the Child's ethnic origin, religion, spoken language or nationality
- Information about the Child's dietary requirements
- Information about the Child's emotional, behavioural or learning needs or disabilities or physical health, including medicines needed and vaccination history, allergies, medicine administered, nappy and sleep records

- Records of observations, planning and assessments showing learning journey and child's progress and development whilst at nursery (Nursery only)
- Where relevant, records relating to the Child's care plans, special educational needs (SEN) common assessment frameworks or other support plans (Nursery only)
- Where relevant, records relation to child protection cases, status as a Looked After Child, safeguarding concerns, linked professionals such as social workers or referrals (Nursery only)
- Details of any pre-existing injury, incident or accident or when an incident, injury or accident happens in one of our settings

We use this information:

- So we can deliver a service that meets the Child's needs
- So we can follow a child's developmental progress (Nursery only)
- So we can assess, monitor and secure appropriate support for any Child with Special Educational Needs (SEN) as defined under Section 20 Children and Families Act 2014 (Nursery only)
- So we can ensure the child's health, safety and welfare and provide a safe service that meets our legal requirements
- To comply with our legal obligations to notify OFSTED of any serious accident, illness or injury to, or death of any Child
- To monitor the diversity of participation in our services and as part of our statutory requirements

Parent

We may process special categories of personal information about the Parent in the following circumstances:

- Information about a Parent's race or ethnicity, spoken language and nationality
- Records of conversations with Parents where employees of the one of our settings deem it relevant to the prevention of radicalisation or other aspects of the government's Prevent strategy
- Details of any discriminatory behaviour, crime or hate crime

We use this information:

- So we can deliver equality of service and comply with our statutory obligations under the Equality Act 2010
- To monitor the diversity of participation in our services and as part of our statutory requirements
- Where we are under duty to report under the Counter-Terrorism and Security Act 2015
- Depending on the crime, where we are under duty to report under the Prevention of Crime Act 1953 (PCA), Criminal Justice Act 1988 (CJA) and Offensive Weapons Act 2019 (OWA)

How the law allows us to use your personal data

We use the personal information we hold about You for a number of different purposes, which we list below. We will only use Yours or the Child's personal information when the law under data protection allows us to.

Most commonly, we will use Your or Your Child's personal information in the following circumstances:

- Where we need the data to perform the contract we have entered into with you
- Where we need to comply with a legal obligation
- Where we use Yours or the Child's photos or video clips for display, publication or social media purposes, we will ask for your consent

We may process special categories of personal information in the following circumstances:

- We are required to carry out our obligations and exercising specific rights in the field of employment and social security and social protection law

- For reasons of substantial public interest, where it is necessary for identifying or keeping under review the existence or absence of equality of opportunity or treatment of You or Your Child with a view to enabling such equality to be promoted or maintained
- For reasons of substantial public interest, where it is necessary for statutory and government purposes
- For reasons of substantial public interest, where it is necessary for the safeguarding of children and individuals at risk
- For reasons of substantial public interest, where it is necessary for preventing or detecting unlawful acts

Because we process certain types of special category personal data, the law says that we must also keep an Appropriate Policy Document that provides more information about this and how we comply with the law.

How we collect and store personal information

Your information is securely stored. We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality. We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so. We collect information using our registration form and during the delivery of our services. In some cases, we may receive information from a health or social care professional or another educational setting.

Information is stored in our Connect Nursery management system (Nursery Only), in our secure file storage or online forms and on paper files held in a secure storage area.

All our third-party technology service providers are required to take appropriate security measures to protect Your personal information in line with our policies. We do not allow our third-party service providers to use Your personal data for their own purposes. We only permit them to process Your personal data for specified purposes and in accordance with our instructions.

Who we share your information with

From time to time we will need to share Yours or the Child's information with external organisations. We will only do so where we have a legitimate or legal basis for doing so and in compliance with our obligations under data protection law.

The following third-party service providers process personal information about You or Your Child for the following purposes:

- Health and social care professionals such as health visitors, social services, psychologists, speak and language therapists who are involved in the Child's care if the Child has Special Education Needs or if the Child is a Looked After Child
- Local Authorities in order to obtain funding for free childcare and for monitoring reasons (e.g. equal opportunities and uptake of funded hours) and safeguarding purposes
- Regulatory bodies such as OFSTED for ensuring compliance and the safety and welfare of the children notification of any serious accident, illness or injury to, or death of any child
- Schools and other early year settings to provide a successful transition, we will share your child's development records including information about the child's progress and current level of development and interests are shared, according to the Early Years Outcomes (DfE 2013) guidance

- We may share your information with the police, the courts and any other government department, (but only if us doing so is lawful).

How long we will keep Your personal data

Information about the Child and the Parent will be kept until the Child has left our service for 3 years or reaches 25 years of age depending on circumstances. If the Child has Looked After Children status it will be kept for 75 years. This follows the Statutory Framework for the Early Years Foundation Stage (England) Records guidance.

CCTV

The Manchester Settlement building is monitored using CCTV. CCTV surveillance is intended for the purposes of:

- Promoting the health and safety of children, staff and visitors
- Protecting the building and resources.

Cameras are placed around the building inside and outside, but not in the toilets or changing areas. You can find out more about our use of CCTV and your rights under data protection law in our CCTV Policy.

Your rights in connection with personal information

Under certain circumstances, by law You have the right to:

- **Request access to Your personal information** (commonly known as a “data subject access request”). This enables You to receive a copy of the personal information we hold about You and to check that we are lawfully processing it.
- **Request correction of the personal information** that we hold about You. This enables You to have any incomplete or inaccurate information we hold about You corrected.
- **Request erasure of your personal information.** This enables You to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove Your personal information where You have exercised Your right to object to processing (see below).
- **Object to processing of Your personal information** where we are relying on a legitimate interest (or those of a third party) and there is something about Your particular situation which makes You want to object to processing on this ground. You also have the right to object where we are processing Your personal information for direct marketing purposes.
- **Request the restriction of processing of Your personal information.** This enables You, as is appropriate, to ask us to suspend the processing of personal information about You for example if You want us to establish its accuracy or the reason for processing it.
- **Request the transfer of Your personal information to another party.**

If You want to review, verify, correct or request erasure of Your or Your Child’s personal information, object to the processing of Your or Your Child’s personal data, or request that we transfer a copy of Your personal information to another party, please contact our Data Protection Officer in writing.

No fee usually required: You will not have to pay a fee to access Your personal information (or to exercise any of the other rights). If you make a request, we have one month to respond to you. We will always seek to comply with your request however we may be required to hold or use your information to comply with legal duties.

What we may need from You: We may need to request specific information from You to help us confirm your identity and ensure Your right to access the information (or to exercise any of Your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to withdraw consent

In the limited circumstances where You may have provided Your consent to the collection, processing and transfer of Your or your child's personal information for a specific purpose, You have the right to withdraw Your consent for that specific processing at any time. To withdraw Your consent, please contact our Data Protection Officer (Contact details below) Once we have received notification that You have withdrawn Your consent, we will no longer process Your information for the purpose or purposes You originally agreed to, unless we have another legitimate basis for doing so in law.

Where to go if you want more information about your rights or to make a complaint

For further information about Your rights, including the circumstances in which they apply, [see the guidance from the UK Information Commissioner's Office \(ICO\)](#) on individuals' rights under data protection law.

If You would like to exercise a right or make a complaint, please contact:

Data Protection Officer
admin@manchestersettlement.org.uk
Manchester Settlement
1328-1330, Ashton Old Rd, Openshaw, Manchester, M11 1JG

You can make a complaint to the ICO at any time about the way we use your information. However, we hope that You would consider raising any issue or complaint you have with us first. We will always do our very best to solve any problems You may have.

To contact the ICO, telephone their helpline on 0303 123 1113 or go to their [website](#).

Other relevant policies:

- Data Protection Policy
- CCTV Policy
- Appropriate Policy Document