

Policy and Procedure Title	<b>Loughborough College Privacy Notice – Radmoor Childcare</b>
Date Approved	27 <sup>th</sup> November 2018
Approved by	College DPO and Executive
Date of Equality Impact Assessment	22 <sup>nd</sup> November 2018
Next Review Date	December 2020
Executive Lead	VP People and Planning
Applicable to:	Staff and Parents/Guardians of Childcare Children
Accessible to:	Staff and Parents/Guardians of Childcare Children

## 1. Scope and Purpose

This privacy notice tells you about the information we process and hold about you and your child whilst they are enrolled at Radmoor Childcare, and in some cases after they cease to attend the provision. In collecting this information, we are acting as a data controller and, by law, we are required to provide you with information about us, about why and how we use this data, and about the rights you have over your and your child’s data.

## 2. Policy Statement

In order to comply with its contractual, statutory, and management obligations and responsibilities, Radmoor Childcare (part of Loughborough College) is required to process personal data relating to its children and their parents and/or guardians, including ‘sensitive’ personal data, as defined in the EU’s General Data Protection Regulation and UK data protection laws which includes information relating to health, racial or ethnic origin, and criminal convictions.

All such data will be processed in accordance with the provisions of these laws and Loughborough College’s Policy on Data Protection, which may be amended from time to time. For the purposes of the Act and this notice, the term ‘processing’ includes the initial collection of personal data, the holding and use of the data, as well as access, disclosure, through to final destruction. In certain circumstances, the provisions of the Act and laws permit Loughborough College to process a child’s personal data, and, in certain circumstances, sensitive personal data, without their explicit consent. Further information on what data is collected and the purposes for which it is processed is given below in this notice.

The Data Protection Officer/GDPR Owner is responsible for ensuring that this notice is made available to data subjects prior to Loughborough College collecting/processing their personal data.

Loughborough College staff who interact with data subjects are responsible for ensuring that this notice is drawn to the data subject’s attention and their consent to the processing of their data is secured.

## 3. Equality Impact Assessment

This policy/procedure has been assessed for its impact on equal opportunities and will be informed by the aim to eliminate all forms of discrimination in all strands of the equal opportunities legislation

## 4. Privacy Notice

### 4.1. Who are we?

Radmoor Childcare comprises of a 60 place full Day Care Nursery, caring for children aged three months up to five years of age. Three Out of Schools Clubs, a Morning Club, and a Holiday Club. Our address is Radmoor Childcare, Radmoor Road, Loughborough, Leicestershire. LE11 3BT. You can contact us by post at the above address, by email at [nurseryenquiries@loucoll.ac.uk](mailto:nurseryenquiries@loucoll.ac.uk) or by telephone on 01509 515456

We are required to have a data protection officer, so any enquiries about our use of your personal data should be addressed to Ian Jones at [DPO@loucoll.ac.uk](mailto:DPO@loucoll.ac.uk) or by using the address or phone number above.

## 4.2. What is personal data

Under the EU's General Data Protection Regulation (GDPR) personal data is defined as:

*“any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person”.*

## 4.3. How we collect your information

We may collect your personal data in a number of ways, for example:

- from the information you provide to us when you first enquire about our facilities, for example when you set up a visit to view the provision;
- when you apply for your child to register with Radmoor Childcare and complete registration forms and when you complete other admissions processes and procedures;
- when you communicate with us by telephone, email or via our website, for example in order to make enquiries or raise concerns;
- in various other ways as you interact with us during the time your child is at Radmoor Childcare, for the various purposes set out below;
- from third parties, for example from your previous or current Childcare, and agencies that help provide agreed support

## 4.4. The types of information we collect

We may collect the following types of personal data about you:

- your name, and contact information such as address, email address and telephone number, as well as your date of birth, national insurance number (or other tax identification number) We will also collect information that is relevant to the safeguarding of your child.
- Information relating to your child's early years history including other nurseries and establishments they have attended.
- Information to support your child's learning, health and wellbeing whilst attending the Radmoor Childcare facilities:
  - To monitor and report on your child's progress

- To provide appropriate pastoral care
- To assess the quality of our service
- To safeguard children
- Attendance information – e.g. number of absences and absence reasons
- Relevant medical information
- Information relating to SEND
- Information about your family or personal circumstances to support your child’s development.
- sensitive personal data and information about your child concerning their health and medical conditions (e.g. disability and dietary needs);

#### How we use information about our children.

The purposes for which we may use the personal data (including sensitive personal data) we collect about you and your child during their association with us include:

- registration and admissions;
- Early Learning matters, including:
  - the provision of our core learning, play and services (e.g. assessment, attendance, managing, recording and monitoring progress)
  - maintaining child records;
  - non-academic matters in support of our core services, including:
    - providing child support services (e.g. through medical, health and wellbeing, and nutrition)
    - monitoring equal opportunities;
    - safeguarding and promoting the welfare of children;
    - ensuring childrens safety and security;
    - managing car parking, identification and drop off and collection
    - administering finance
    - meeting our legal reporting obligations (e.g. Government Departments)
    - other administrative purposes, including:
      - carrying out research and statistical analysis;
      - carrying out audits (e.g. to ensure compliance with our regulatory and legal obligations);
      - providing operational information (e.g. providing information about access restrictions to Nursery, weather advice, or safety advice);

- promoting our services (e.g. providing information about summer schools, after school clubs, or other events happening on and off site);
- preventing and detecting crime;
- dealing with enquiries.

#### 4.5. Childcare Newsletters/ Information

Personal data such as your child's name and photograph may be published in the Childcare Newsletters. This information will also be passed to third parties (including our local paper). All published details will be available on our archive and our website following the events.

On registration you may withhold your consent to your child's name being published for these purposes by contacting [dpo@loucoll.ac.uk](mailto:dpo@loucoll.ac.uk) Consent permissions may be given or withheld at any time (See 4.7)

#### 4.6. The basis for processing your information and how we use it

We may process you and your child's personal data because it is necessary for the performance of a contract with you or in order to take steps at your request prior to entering into a contract. In this respect, we use your personal data for the following:

- to interact with you before your child is registered, as part of the admissions process (e.g. to send you a prospectus or answer enquiries about our Childcare provisions);
- once your child has registered, to provide you with the services as set out in our Parent Agreement;
- to deal with any concerns or feedback you may have;
- for any other purpose for which you provide us with either your own or your child's personal data.

We may also process your own or your child's personal data because it is necessary for the performance of our tasks carried out in the public or because it is necessary for our or a third party's legitimate interests. In this respect, we may use your own or your child's personal data for the following:

- to provide your child with quality Early Learning opportunities which is our ethos and reflects our policies;
- to monitor and evaluate the performance and effectiveness of the Childcare, including the training and ongoing CPD of our staff together with regular appraisals;
- to maintain and improve the academic, corporate, financial, estate and human resource management of the Childcare;
- to promote equality and diversity throughout the Childcare facilities;
- to seek advice on our rights and obligations, such as where we require our own legal advice;
- recovering money you owe to us;
- for fundraising purposes.

We may also process your personal data for our compliance with our legal obligations. In this respect, we may use your own or your child's personal data for the following:

- to meet our compliance and regulatory obligations, such as compliance with anti-money laundering laws and safeguarding requirements;
- for the prevention and detection of crime;
- in order to assist with investigations (including criminal investigations) carried out by the police and other competent authorities.

We may also process your own or your child's personal data where:

- it is necessary for medical purposes (e.g. medical diagnosis, provision of health or social care or treatment, or a contract with a health professional);
- it is necessary to protect your or another person's vital interests; or
- we have your specific or, where necessary, explicit consent to do so.

#### 4.7. Sharing information with others

For the purposes referred to in this privacy notice and relying on the bases for processing as set out above, we may share your own or your child's personal data with certain third parties. You are given the opportunity to opt out of some of these data sharing arrangements, for example when your child registers with us, but you should carefully consider the possible impact of doing this. Unless an opt-out is in place, we may disclose limited personal data to a variety of recipients including:

- our employees, agents and contractors where there is a legitimate reason for their receiving the information, including internal and external auditors.
- government departments and agencies where we have a statutory obligation to provide information (e.g., the Home Office (in connection with UK visas and immigration), Council Tax and Electoral Registration Officers at relevant local authorities (for the purpose of assessing liability for Council Tax and for electoral registration purposes);
- We are required by law, to provide information about our children to the Local Authority as part of statutory data collections such as the Early Years' census. Some of this information is then stored in the National Child Database (NPD). The law that allows this is the Education (Information about Individual Children) (England) Regulations 2013.
- crime prevention or detection agencies (e.g. the police, the Department for Work and Pensions and Trading Standards);
- parents, guardians, and next-of-kin (where there is a legitimate reason for disclosure);
- third parties conducting surveys.

Note that to be granted access to children's 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.

The Radmoor Childcare, as part of Loughborough College 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 Radmoor Childcare 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

#### 4.8. International data transfers

Some of the personal data we process about you or your child will be transferred to, and stored at, a destination outside the European Economic Area ("EEA"), for example where it is processed by staff operating outside the EEA who work for us or for one of our suppliers, or where personal data is processed by one of our suppliers who is based outside the EEA or who uses storage facilities outside the EEA.

In these circumstances, your personal data will only be transferred on one of the following bases:

- where the transfer is subject to one or more of the "appropriate safeguards" for international transfers prescribed by applicable law (e.g. standard data protection clauses adopted by the European Commission);
- a European Commission decision provides that the country or territory to which the transfer is made ensures an adequate level of protection; or
- there exists another situation where the transfer is permitted under applicable law (e.g. where we have your explicit consent).

#### 4.9. Changes to your personal data

Please tell us promptly about any changes to the information we hold about you and/or your child. This is particularly important for your contact details. Some details can only be changed by you in person, however we can advise further if you call into Radmoor Childcare reception, or email [Childcare@loucoll.ac.uk](mailto:Childcare@loucoll.ac.uk)

### 5. Accuracy of data

Radmoor Childcare is required to take reasonable steps to ensure that any personal data it processes is accurate and up-to-date. It is the responsibility of the individual parent/guardian to inform the Radmoor Childcare of any changes to the personal data that they have supplied to it during the course of their child's time at the provision by emailing [Childcare@loucoll.ac.uk](mailto:Childcare@loucoll.ac.uk)

### 6. Retention period

Radmoor Childcare will store the personal data for 30 years once your child has ceased to be an attendee. The retention period for different classifications of personal data has been established in line with information management guidelines. Please refer to Records Retention and Protection Policy (DP-P002) for more information on retention periods.

### 7. Individuals Rights

Under data protection legislation, you have the right to request access to information about you and/or your child that we hold. At any point while we are in possession of or processing your own or your child's personal data, you, the data subject, and the parent/guardian of the data subject, have the following rights:

- *The right to be informed* - under transparency requirements in the new laws, you are informed

- about the collection and use of personal data
- *Right of access* – you have the right to request a copy of the information that we hold about you and/or your child.
  - *Right of rectification* - you have a right to correct data that we hold about you and/or your child that is inaccurate or incomplete.
  - *The right to erasure* - in certain circumstances you can ask for the data we hold about you and/or your child to be erased from our records
  - *The right to restrict processing* - where certain conditions apply to have a right to restrict the processing of personal data
  - *The right to data portability* - you have the right to have the data we hold about you and/or your child transferred to another organisation
  - *The right to object* - you have the right to object to certain types of processing such as direct marketing
  - *Rights in relation to automated decision making and profiling* - you also have the right to be subject to the legal effects of automated processing or profiling

## 8. Requesting access to your personal data

To make a request for your personal information, contact Ian Jones (Data Protection Officer) at [dpo@Loucoll.ac.uk](mailto:dpo@Loucoll.ac.uk) If you have a concern about the way we are collecting or using your personal data, we ask 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/> or write to them at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

## 9. Further information

If you would like to discuss anything in this privacy notice, please contact: Ian Jones (Data Protection Officer) at [dpo@Loucoll.ac.uk](mailto:dpo@Loucoll.ac.uk) or the data protection advisor at [Data.Protection@Loucoll.ac.uk](mailto:Data.Protection@Loucoll.ac.uk)