

# First Steps Nursery Privacy Notice

This Privacy Notice explains what information we collect about you and your child, how we store this information, how long we retain it and with whom and for which legal purpose we may share it.

The Trust also publishes a number of specific notices which are available at the bottom of this page.

To find out more about our Privacy Notice, please select the relevant hyperlink below:

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<p><b>Who we are?</b></p>	<p>First Steps Nursery is an employer provided day care nursery based at the Royal Devon and Exeter NHS Foundation Trust (RD&amp;E). The nursery caters for 130 children per day and supports NHS staff to meet their work commitments.</p> <p>First Steps is registered and inspected by OFSTED it holds an “outstanding” rating and has gained a reputation for the delivery of high quality childcare.</p> <p>First Steps employs 55 staff.</p> <p>As part of the Trust, First Steps is registered with the Information Commissioner’s Office (ICO) to process personal and special categories of information under the Data Protection Act 2018 and our registration number is Z5368894</p> <p>For further information please refer to the ‘Information Governance’ page on the Trusts HUB site</p>
<p><b>Why we collect personal information about you and your child?</b></p>	<p>Legal obligation. Requirement of statutory framework – Early Years Foundation Stage (EYFS) 2017 and the Childcare Register 2016</p> <p>The staff caring for your child will need to collect and maintain information about their development, health and contact details so that we can work in partnership with parents to maximise the individual learning and development needs of every child in our care. This personal information can be held in a variety of formats, including paper records and electronically on computer systems.</p>
<p><b>What is our legal basis for processing personal information about you and your child?</b></p>	<p><b>Legal obligation:</b> the processing of personal information is necessary for us to comply with the law. DfE legal requirement within the Early Years Foundation Stage statutory guidance (EYFS), OFSTED (Early Years Inspection Handbook) and requirement of the Childcare Register 2016.</p> <p><b>Consent:</b> We must gain clear consent from the parent/carer to process their child’s personal data for a specific purpose.</p> <p><b>Contractual Necessity:</b> Data processing is necessary within the contract held with the local authority to meet children’s needs</p> <p><b>Vital Interests:</b> Data must be gathered to protect children from harm whilst in our care.</p> <p>For further information on this legislation please visit: <a href="http://www.legislation.gov.uk">www.legislation.gov.uk</a></p>

**What personal information do we need to collect about you and how do we obtain it?**

Personal information about you and your child is collected in a number of ways. This can be from details on registration forms, salary sacrifice application forms, learning journey folders, local authority funding forms, external health care agencies, details from other settings your child may attend or move from, signed personal information updates directly from you or your authorised representative.

As a user of the childcare service and a parent we will hold the following basic personal information about you: your name, address (including correspondence), telephone numbers, your email address, marital status, occupation, place of work and preferred name or maiden name ([KinderSoft Privacy notice](#)).

In addition to the above, we may hold sensitive personal information about you which could include:

- Your payroll number, your contractual hours, your national insurance number, your salary (this is a HRMC requirement for the provision of employer provided salary sacrifice schemes, childcare voucher schemes) [Sodexo Privacy notice](#)
- Your financial and payments record with us
- Your religion and ethnic origin
- Whether or not you are subject to any protection orders regarding your health, wellbeing and human rights (safeguarding status).

In order to meet our legal obligation we will hold and record personal information about your child which we may have to share with other agencies this could include.

- Accident and incident recording, including pre-existing injuries. (safeguarding)
- Medical Administration and necessary procedures
- Attendance Register
- Child Information – Allergies, dietary requirements.
- Complaints log (OFSTED requirement)
- Written contract and agreement (our terms and conditions)

	<ul style="list-style-type: none"> <li>• Permission and consent forms</li> <li>• Learning and Development information about your child</li> <li>• Local Authority funding form – contractual obligation with LA to obtain EY funding (<a href="#">Devon County Council Privacy notice</a>)</li> <li>• Safeguarding Record forms – EYFS 2017/Local Safeguarding Children’s Board LSCB</li> <li>• Policies and Procedures – signed acknowledgement from parents obtained</li> <li>• Visitor Log</li> <li>• Concerns about a child/parent</li> <li>• Contract termination details and onward setting details</li> </ul>
<p><b>What do we do with your personal information?</b></p>	<p>We will use the data we collect to care for your child both legally and safely working in partnership with parents to maximise individual learning and development opportunities for every child.</p>
<p><b>What we may do with your personal information.</b></p>	<p>We may use your personal information to review the service we provide to ensure it is of the highest quality and is</p> <ul style="list-style-type: none"> <li>• Meeting the needs of the children in our care.</li> <li>• Meeting the service remit to support NHS staff with their childcare needs and enable them to come to work.</li> <li>• Meeting the financial budget targets set by the Trust</li> </ul>
<p><b>Who do we share your information with and why?</b></p>	<p>We may need to share relevant personal information with other external agencies. For example, we may share your child’s information for safeguarding purposes, health purposes or educational purposes with authorities such as Devon County Council Early Years, Virgin Care, Babcock, Children’s Centre’s Public Health England, general practitioners (GPs), Health Visitors, Speech and Language Therapists, Portage Workers, Multi Agency Safeguarding Hub (MASH), Single Point of Access Pathway. We may also need to share information with other external agencies contracted to provide services in order to support your child’s developmental needs.</p>

However, we will not disclose any information to third parties without your explicit consent unless there are circumstances, such as when the health or safety of others is at risk or where current legislation permits or requires it.

There are occasions where the Trust is required by law to share information provided to us with other bodies responsible for auditing or administering public funds, in order to prevent and detect fraud.

There may also be situations where we are under a duty to share your information, due to a legal requirement. This includes, but is not limited to, disclosure under a court order, sharing with Office for Standards in Education, Children's Services and Skills (OFSTED) for inspection purposes, Social Services, MASH, the police for the prevention or detection of crime or where there is an overriding public/personal interest to prevent abuse or serious harm to others and other public bodies (e.g. Domestic Abuse, Proof of Professional Status, HMRC for the misuse of public funds in order to prevent and detect fraud).

For any request to transfer your data internationally outside the UK/EU, we will make sure that an adequate level of protection is satisfied before the transfer.

First Steps is required to protect your personal information, inform you of how your personal information will be used, and allow you to decide if and how your personal information can be shared. Personal information you provide to First Steps in confidence will only be used for the purposes explained to you and to which you have consented. Unless, there are exceptional circumstances, such as when the health or safety of others is at risk, where the law requires it or there is an overriding public interest to do so.

#### How we maintain your records

Your personal information is held in both paper and electronic forms for specified periods of time as set out in legal requirements of the Early Years Foundation Stage 2017 and the Childcare Register 2016.

We hold and process your information in accordance with the Data Protection Act 2018 as amended by the GDPR 2016, as explained above. In addition, everyone working for the NHS must comply with the Common Law Duty of Confidentiality and various national and professional standards and requirements.

We have a duty to:

- maintain full and accurate records of the care we provide to your child;
- keep records about you and your child confidential and secure;
- provide information in a format that is accessible to you.

	<p><b>Use of Email</b> - We provide the option to communicate with parents via email. Please be aware that the Trust cannot guarantee the security of this information whilst in transit, and by requesting this service you are accepting this risk.</p>
<p><b>What are your rights?</b></p>	<p>If we need to use your personal information for any reasons beyond those stated above, we will discuss this with you and ask for your <u>explicit</u> consent. The Data Protection Act 2018) gives you certain rights, including the right to:</p> <ul style="list-style-type: none"> <li>• Request access to the personal data we hold about you and your child.</li> <li>• Request the correction of inaccurate or incomplete information recorded in our records, subject to certain safeguards.</li> <li>• Refuse/withdraw consent to the sharing of your child’s records: Under the Data Protection Act 2018 (subject to parliamentary approval), we are authorised to process, i.e. share your child’s records ‘for the management of educational systems and services’. Your consent will only be required if we intend to share yours or your child’s information beyond these purposes, as explained above (e.g. developmental needs, safeguarding). Any consent form you will be asked to sign will give you the option to ‘refuse’ consent and will explain how you can ‘withdraw’ any given consent at a later time. The consent form will also warn you about the possible consequences of such refusal/withdrawal.</li> <li>• Request yours or your child’s personal information to be transferred to other providers on certain occasions.</li> <li>• Object to the use of yours or your child’s personal information: In certain circumstances you may also have the right to ‘object’ to the processing (i.e. sharing) of yours or your child’s information where the sharing would be for a purpose beyond your care and treatment (e.g. as part of a local/regional data sharing initiative). This so called “Data Opt-out’ initiative, developed by Dame Fiona Caldicott, is set to commence in 2018 and conclude in March 2020. Further information can be found on the following website: <a href="https://digital.nhs.uk/national-data-opt-out">https://digital.nhs.uk/national-data-opt-out</a></li> <li>• We will always try to keep your information confidential and only share information when absolutely necessary.</li> </ul> <p>If you wish to raise a complaint on how we have handled your personal data, you can contact our Data Protection Officer who will investigate the matter.</p>
<p><b>Data Protection Officer</b></p>	<p>Please contact the Information Governance Manager:          Information Governance Team          Wonford Hospital</p>

	<p>Barrack Road Exeter EX2 5DW</p> <p>Or via <a href="mailto:rde-tr.dataprotectionofficer@nhs.net">rde-tr.dataprotectionofficer@nhs.net</a></p>
<p><b>Information Commissioner's Office</b></p>	<p>The- Information Commissioner's Office (ICO) is the body that regulates the Trust under Data Protection and Freedom of Information legislation. <a href="https://ico.org.uk/">https://ico.org.uk/</a>. If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law you can complain to the. ICO at:</p> <p>Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF</p> <p>Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number Fax: 01625 524 510 Email: <a href="mailto:casework@ico.org.uk">casework@ico.org.uk</a></p>
<p><b>Office for Standards in Education Children's Services and Skills OFSTED</b></p>	<p>If you wish to make a complaint direct to OFSTED contact – OFSTED at Piccadilly Gate, Store Street, Manchester. M2 2BS Email – <a href="mailto:enquiries@ofsted.gov.uk">enquiries@ofsted.gov.uk</a> Telephone – 0300 123 1231</p>