

GDPR PRIVACY NOTICE FOR PARENTS/CARERS AND CHILDREN



INTRODUCTION

We at the Oasis are a data controller for the purposes of the General Data Protection Regulations (GDPR). This means that we are responsible for deciding how we hold and use personal information about you and your child. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to current and former parents/carers and children of Oasis Childcare Centre. This notice does not form part of any contract to provide services. We may update this notice at anytime.

In this privacy notice, we set out how we collect and use your personal data before, during and after your attendance with us, in accordance with the General Data Protection Regulation (GDPR). It is important that you read 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 your information.

The Oasis ("we" or "us") take the privacy and security of your personal data very seriously. We will comply with the data protection law, which states that the information we hold about you must be:

- Used lawfully, fairly and in a transparent way;
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- Relevant to the purposes we have told you about and limited only to those purposes;
- Accurate and kept up to date;
- Kept only as long as necessary for the purposes we have told you about;
- Stored securely.

Our Data Protection Officer (DPO) is Briony Sedgeman.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues. Please see our Complaints Policy.

DATA PROTECTION PRINCIPLES

We will comply with data protection law including the 6 principles of GDPR which are:

1. To process your personal data lawfully, fairly and in a transparent way.
2. To collect your personal data only for valid purposes that we have advised you about and to not use your personal data in any way that is incompatible with those purposes (unless we have notified you and explained the lawful ground that allows us to do so).
3. To only process your personal data to the extent necessary for the purposes we have advised you about.
4. To keep your personal data accurate and kept up to date.
5. To keep your personal data only as long as necessary for the purposes we have told you about.
6. To keep your personal data secure.

PERSONAL DATA THAT WE PROCESS

Personal data means any information about an individual from which that person can be identified. It does not include anonymous data where the identity has been removed.

There are “special categories” of more sensitive personal data, which require a higher level of protection such as your ethnicity and whether you are a member of a trade union.

Please refer to the Data Retention Checklist included in our Data Protection Policy for details about how long we will hold your information.

We will collect, store, and use the following categories of personal data about you:

- Personal contact details such as name, title, addresses, telephone numbers and personal email addresses.
- Date of birth.
- Gender.
- Next of kin and emergency contact information.
- National Insurance number.
- Information required in line with the settings Admissions Policy.
- CCTV footage.

We will collect, store, and use the following categories of personal data about your child:

- Personal contact details such as name, title, addresses, telephone numbers and personal email addresses.
- Date of birth.
- Birth certificate or passport reference number.
- Gender.
- Name of parents/carers with parental responsibility.
- Name of parent/carer your child resides with.
- Next of kin and emergency contact information.
- Name and contact details of your child’s GP.
- Name and contact details of your child’s Health Visitor.
- Name of any other health professionals involved with your child’s care.
- Start date.
- Absence/attendance information (such as number of absences and reasons)
- CCTV footage.
- Photographs.
- Learning, development and assessment information (including special educational needs and behaviour information).

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about race or ethnicity and religious beliefs.
- Information about your child's health, including any medical condition, allergies health and sickness records.

HOW WE COLLECT YOUR PERSONAL DATA

We collect personal data about you and your child directly from you through the induction process. With your consent, we may sometimes collect additional information from third parties including former nursery settings or other professionals (such as health visitors).

When you start at Oasis, you will directly provide us with certain personal data, which is included on the registration form. We may collect further personal data about you in the course of your time with us. Whilst the majority of information you provide to use is mandatory, some of it is provided on a voluntary basis. In order to comply with the GDPR, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

THE LAWFUL BASIS ON WHICH WE USE THIS INFORMATION

We collect and use children's information for the purposes of data collection under the Education Act 1996. Furthermore, we collect and use information:

- To perform the contract we have entered into with parents/carers and children, relating to the provision of education;
- To deliver education in accordance with public interest;
- Where we need to comply with a legal obligation;
- Where it is necessary for our legitimate interests (or those of a third party) and the child's interests and their fundamental rights do not override those interests.

We may also use children's information in the following situations, which are likely to be rare:

- Where we need to protect their interests (or someone else's interests).

TRANSFERS TO THIRD PARTIES

With your consent, we may have to share yours and/or your child's personal data with third parties, including third-party service providers, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so. We share this information with the following third parties*:

- The Local Authority to process funding for individual children
- Quickbooks to process invoices for childcare costs
- Schools and/or nursery setting's that your child attends after leaving Oasis Childcare Centre. (We will always seek permission before sharing information with another setting).
- Other professionals who support your family/child (including speech and language therapists, physiotherapist, Educational Psychologists). (We will always seek written permission before marking a referral to other professionals).

**Please note that this is a working document and will be regularly updated. For updated list of third parties we work with, please see the Privacy Statement for Parents/Carers on our website.*

With your consent, we may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law.

We require third parties to respect the security of your data and to treat it in accordance with the law. They must act only in accordance with our instructions and they agree to keep your personal data confidential and secure.

All parents/carers, staff, committee, students, volunteers and other relevant professionals/contractors should note that in the event of a safeguarding concern being raised, information about children, families and/or professionals may be shared with the relevant agencies without prior consent.

TRANSFERS OUTSIDE OF THE EEA

We may be required to transfer your personal information outside the EEA. If we do, you can expect a similar degree of protection in respect of your personal information.

Where we transfer your personal data to countries where there is no adequacy decision by the European Commission in respect of that country, we will put in place certain measures to ensure that your personal data does receive an adequate level of protection, such as contractual clauses that have been approved by the European Commission.

DATA SECURITY

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so. Please see our Data Protection Policy (including Data Breach Procedure and Data Retention Checklist).

DATA RETENTION

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. Please see our Data Protection Policy (including Data Breach Procedure and Data Retention Checklist) for details of retention periods for different aspects of your personal information.

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

Once you are no longer a customer of the company we will retain and securely destroy your personal information in accordance with applicable laws and regulations. Please see our Data Protection Policy (including Data Breach Procedure and Data Retention Checklist) for details.

RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

It is important that the personal data we hold about you and your child is accurate and up to date. Please keep us informed if your personal information changes.

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 your child, and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you and your child. This enables you to have any incomplete or inaccurate information we hold about you or your child corrected.
- **Request erasure** of your or your child’s 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 or your child’s personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your or your child’s 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 or your child’s personal information for direct marketing purposes.
- **Request the restriction of processing** of your or your child’s personal information. This enables you to ask us to suspend the processing of personal information about you or your child, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your or your child’s 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 personal data, or request that we transfer a copy of your personal information to another party, please contact the Senior Manager in writing.

You will not have to pay a fee to access your personal data or to exercise any of the other rights under data protection laws. However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

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 and 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 email us at admin@oasischildcare.org.uk or write to FAO Briony Sedgeman, Oasis Childcare Centre, Lower-Quarter Ludgvan, Penzance, TR20 8EX. 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.

DATA PROTECTION OFFICER

Our appointed Data Protection Officer (DPO) is responsible for overseeing compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact Briony Sedgeman (DPO) on 01736 741528 or email admin@oasischildcare.org.uk.

Adopted by The Oasis Management Committee on: 31.08.2021
 Representative of Management Committee Signature: [Signature]
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