



# Privacy Policy

Acton Playgroup is required to collect personal information for its employees, trustees, committee members, volunteers, children, parents/carers and visitors. It is also necessary to process information so that staff can be recruited and paid, activities organised and legal obligations to funding bodies and government fulfilled. We intend to meet all the requirements of the Data Protection Act 2018 and the General Data Protection Regulations 2018 when collecting, storing, and destroying personal data. This policy is intended to provide information about how the playgroup will use (or "process") personal data about individuals including: its staff; its current, past and prospective children; and their parents, carers or guardians (referred to in this policy as "parents").

This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Staff, parents, trustees and committee members are all encouraged to read this Privacy Notice and understand the playgroup's obligations.

This Privacy Notice applies alongside any other information the playgroup may provide about a particular use of personal data, for example when collecting data via an online or paper form.

This Privacy Notice also applies in addition to the playgroup's other relevant terms and conditions and policies, including:

- any contract between the playgroup and its staff or the parents of children;
  - the playgroup's policy on taking, storing and using images of children;
  - the playgroup's retention of records policy;
  - the playgroup's safeguarding, pastoral, or health and safety policies, including how concerns or incidents are recorded; and
  - the playgroup's IT policies
- Anyone who works for, or acts on behalf of, the playgroup (including staff, volunteers, trustees, committee members, and service providers) should also be aware of and comply with this Privacy Notice, which also provides further information about how personal data about those individuals will be used.

## RESPONSIBILITY FOR DATA PROTECTION

The Playgroup Manager shall deal with any requests and enquiries concerning the playgroup's uses of your personal data (see section on Your Rights below) and endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law.

The Playgroup Manager can be contacted via email at [actonplaygroup@hotmail.co.uk](mailto:actonplaygroup@hotmail.co.uk) or by phone (01787 464270) or by post to the playgroup address.

## WHY THE PLAYGROUP NEEDS TO PROCESS PERSONAL DATA

In order to carry out its ordinary duties to staff, children in our care and parents, the playgroup needs to process a wide range of personal data about individuals (including current, past and prospective staff, children or parents) as part of its daily operation.

Some of this activity the playgroup will need to carry out in order to fulfil its legal rights, duties or obligations - including those under a contract with its staff, or parents of its children.

Other uses of personal data will be made in accordance with the playgroup's legitimate interests, or the legitimate interests of another, provided that these are not outweighed by the impact on individuals and provided it does not involve special or sensitive types of data.

The playgroup expects that the following uses will fall within that category of its (or its community's) "legitimate interests":

- To provide education services and monitoring children's progress and educational needs;
- Maintaining relationships with the playgroup community, including direct marketing or fundraising activity;
- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as tax, diversity or gender pay gap analysis);
- To enable relevant authorities to monitor the playgroup's performance and to intervene or assist with incidents as appropriate;
- To give and receive information and references about past, current and prospective employees, to receive information about parents including relating to outstanding fees or payment history, to/from any educational institution that the child attended or where it is proposed they attend
- To safeguard children's welfare and provide appropriate pastoral care;
- To make use of photographic images of children in playgroup publications, on the playgroup website and (where appropriate) on the playgroup's social media channels in accordance with the playgroup's policy on taking, storing and using images of children;
- In addition, the playgroup will, on occasion, need to process special category personal data (concerning health, ethnicity) or criminal records information (such as when carrying out DBS checks) in accordance with rights or duties imposed on it by law, including as regards safeguarding and employment, or from time to time by explicit consent where required. These reasons will include:
  - To safeguard children's welfare and provide appropriate pastoral (and where necessary, medical) care, and to take appropriate action in the event of an emergency, incident or accident, including by disclosing details of an individual's medical condition or other relevant information where it is in the individual's interests to do so: for example for medical advice, for social protection, safeguarding, and co-operation with police or social services, for insurance purposes or to organisers of playgroup trips who need to be made aware of dietary or medical needs;
  - To provide educational services in the context of any special educational needs of a child;
  - In connection with employment of its staff, for example DBS checks, welfare, union membership or pension plans;

- As part of any playgroup or external complaints, disciplinary or investigation process that involves such data, for example if there are SEN, health or safeguarding elements;
- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with its legal obligations and duties of care.

#### TYPES OF PERSONAL DATA PROCESSED BY THE PLAYGROUP

Acton Playgroup hold, by way of example: -

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- personnel files, including employment or safeguarding;
- bank details of employees;
- information about individuals' health and welfare, and contact details for their next of kin;
- correspondence with and concerning staff, children and parents' past and present; and
- images of children (and occasionally other individuals) engaging in playgroup activities (in accordance with the playgroup's policy on taking, storing and using images of children);

#### HOW THE PLAYGROUP COLLECTS DATA

Generally, the playgroup receives personal data from the individual directly (including, in the case of children, from their parents). This may be via a form, or simply in the ordinary course of interaction or communication (such as email or written assessments in relation to both children and employees).

However, in some cases personal data will be supplied by third parties (for example another playgroup, or other professionals or authorities working with that individual).

#### WHO HAS ACCESS TO PERSONAL DATA AND WHO THE PLAYGROUP SHARES IT WITH

Occasionally, the playgroup will need to share personal information relating to its community with third parties, such as:

- professional advisers (e.g. lawyers, insurers, and accountants);
- government authorities (e.g. HMRC, DfE, police or the local authority); and
- appropriate regulatory bodies e.g. OFSTED, the Charity Commission or the Information Commissioner).
- However, a certain amount of any SEN child's relevant information will need to be provided to staff more widely in the context of providing the necessary care and education that the child requires.
- Staff, children and parents are reminded that the playgroup is under duties imposed by law and statutory guidance (including Keeping Children Safe in Education) to record or report incidents and concerns that arise or are reported to it, in some cases regardless of whether they are proven, if they meet a certain threshold of seriousness in their nature or regularity. This is likely to include file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities. For further information about this, please view the playgroup's Safeguarding Policy.
- Finally, in accordance with Data Protection Law, some of the playgroup's processing activity is carried out on its behalf by third parties, such as IT systems, web developers or cloud storage providers. This is always

subject to contractual assurances that personal data will be kept securely and only in accordance with the playgroup's specific directions.

## HOW LONG WE KEEP PERSONAL DATA

The playgroup will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason. Typically, the legal recommendation for how long to keep ordinary staff and child personnel files is up to 7 years following departure from the playgroup. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

If you have any specific queries about how our retention policy is applied or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact the Manager of Acton Playgroup. However, please bear in mind that the playgroup will often have lawful and necessary reasons to hold on to some personal data even following such request.

## YOUR RIGHTS

Rights of access, etc.

- Individuals have various rights under Data Protection Law to access and understand personal data about them held by the playgroup, and in some cases ask for it to be erased or amended or have it transferred to others, or for the playgroup to stop processing it - but subject to certain exemptions and limitations.
- Any individual wishing to access or amend their personal data or wishing it to be transferred to another person or organisation, or who has some other objection to how their personal data is used, should put their request in writing to the Data Protection Officer (details above).
- The playgroup will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event within statutory time-limits (which is one month in the case of requests for access to information).
- The playgroup will be better able to respond quickly to smaller, targeted requests for information. If the request for information is manifestly excessive or similar to previous requests, the playgroup may ask you to reconsider, or require a proportionate fee (but only where Data Protection Law allows it).

Requests that cannot be fulfilled

- You should be aware that the right of access is limited to your own personal data, and certain data is exempt from the right of access. This will include information which identifies other individuals (please see further information below), or information which is subject to legal privilege (for example legal advice given to or sought by the playgroup, or documents prepared in connection with a legal action).
- You may have heard of the "right to be forgotten". However, we will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing your (or your child's) personal data: for example, a legal requirement, or where it falls within a legitimate interest identified in this Privacy Notice. All such requests will be considered on their own merits.

Consent

- Where the playgroup is relying on consent as a means to process personal data, any person may withdraw this consent at any time (subject to similar age considerations as above). Examples where we do rely on consent are: certain types of uses of images or certain types of fundraising activity. Please be aware however that the playgroup may not be relying on consent but have another lawful reason to process the personal data in question even without your consent.

• That reason will usually have been asserted under this Privacy Notice or may otherwise exist under some form of contract or agreement with the individual (e.g. an employment or parent contract including the playgroup's Terms and Conditions).

Whose rights?

• The rights under Data Protection Law belong to the individual to whom the data relates. However, the playgroup will rely on parental authority or notice for the necessary ways it processes personal data relating to children - for example, under the parent contract, or via a form. Parents should be aware that this is not necessarily the same as the playgroup relying on strict consent (see section on Consent above).

#### DATA ACCURACY AND SECURITY

• The playgroup will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Individuals must please notify the playgroup of any significant changes to important information, such as contact details, held about them.

• An individual has the right to request that any out-of-date, irrelevant or inaccurate or information about them is erased or corrected (subject to certain exemptions and limitations under Data Protection Law): please see above for details of why the playgroup may need to process your data, of who you may contact if you disagree.

• Acton Playgroup only holds manual and electronic records; these are protected by either being stored on site in a locked cupboard or on a password protected computer with the necessary security installed. We also use other computers and electronic devices to use our online developmental programme Tapestry which is used to monitor the development and progress of all children who attend Acton Playgroup. All devices are again password secured and have the necessary security protection. Tapestry also have their own data protection for all settings registered with them. Most records will be kept for a minimum of 25 years.

#### THIS POLICY

The playgroup will update this Privacy Notice from time to time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practical.

#### QUERIES AND COMPLAINTS

Any comments or queries on this policy should be directed to the Playgroup Manager using the following contact details: [actonplaygroup@hotmail.co.uk](mailto:actonplaygroup@hotmail.co.uk) or by post to the playgroup address.

If an individual believes that the playgroup has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should utilise the Playgroup's complaints procedure. You can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO), although the ICO recommends that steps are taken to resolve the matter with the playgroup before involving the regulator.

Policy adopted by: Acton Playgroup and Committee

On: \_\_\_\_\_(date)

To be reviewed: \_\_\_\_\_(date)

Signed on behalf of provider: \_\_\_\_\_

Name of Signatory: Kim Farley Emily Mortimer

Role of Signatory:

Lead Practitioner

Committee Chairperson

Reviewed August 2021