

Privacy Notice (How we use your and your child's personal data)

We **Lavender Farm Nursery** are trading on behalf of **Stour Vale Academy Trust**. The Multi Academy Trust (MAT) is the data controller for the purposes of Data Protection Law.

All information that we collect is necessary to meet our contractual and legal obligations as an Early Years setting.

The categories of information that we collect, hold and share include:

- personal information (such as name, date of birth, address and telephone numbers);
- characteristics (such as ethnicity, language, gender, religion, funding eligibility) for children;
- attendance information (such as sessions attended, number of absences and absence reasons) for children
- relevant medical information for children, including vaccinations and past illnesses
- GP/Health visitor information
- special educational needs information for children;
- safeguarding information (such as court orders and professional involvement);
- assessment information for children;
- bank details for parents/carers;
- national insurance number for parents for funding reasons
- proof of identity for children
- birth certificates for funding for children;
- details of any accidents/incidents/existing injuries
- medication forms including administering medication and individual care plans
- funding information and details.
- consent for child welfare – dressing and undressing, cleaning assistance with personal hygiene, toileting.
- consent for physical intervention
- consent for internet use

Why we collect and use this information

We use the information:

- to perform the contract we have entered into with you;
- to ensure children's health, safety and wellbeing;
- to support children's learning;
- to ensure medical needs are being met
- to monitor and report on children's progress;
- to provide appropriate pastoral care;
- to safeguard children
- to assess the quality of our services;
- to comply with the law regarding data sharing;
- to comply with the requirements of the Early Years Foundation Stage and Ofsted;
- to ensure children are eligible for funding;
- to process nursery fees.

The lawful basis on which we use this information

Under the UK General Data Protection Regulation (UK GDPR) the legal bases we rely on for processing personal information are:

- where you have given us your consent;
- where processing is necessary for performance of the contract we have entered into with you;
- where processing is necessary for compliance with a legal obligation to which we are subject;
- where processing is necessary to protect the vital interests of an individual (for instance children within our care);
- where processing is necessary for the purposes of our legitimate interests (or those of a third party) and those interests are not overridden by your or your child's fundamental rights and freedoms.

Some data is known as 'special category' data because it is sensitive.

Where the data we collect is special category data (for instance medical information) we also rely on one of the following legal bases under the UK GDPR:

- where you have given us explicit consent to process the data;
- where the processing of data is necessary for the purposes of employment, social security and social protection;
- where the processing of data is necessary for the purposes of health or social care.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

Collecting children's information

We collect and use children's information under the Statutory Framework for the Early Years Foundation Stage (given legal force by the Childcare Act 2006) and other relevant legislation in order to provide our contractual services to you and your child in a safe and legally compliant manner. By completing and signing the child's information sheet you acknowledge that we are required to process your and your child's personal data for the specific purposes of being part of the nursery setting. The processing of the information you have provided about you and your child is necessary for the safe and legal performance of the contract you have signed in the child's information sheet. We have a legal obligation to process the information provided to comply with the law.

Whilst the majority of the information about your child that you provide to us is mandatory, some of it is provided to us on a voluntary basis – for instance, where we ask your permission to use your child's image for

- external training, conferences etc...
- staff training or assessment
- school prospectus and other printed publications
- tapestry
- video or webcam

- on the website
- internal displays/display boards
- peg
- nursery special events
- observations for development checks
- local newspaper, TV or online
- nursery publications
- photos and videos whilst on nursery visits

We will inform you, at the point of collection, whether you are required to provide certain information to us or if you have a choice in this. Where information has been provided to us on the basis of consent, you have the right to withdraw that consent by contacting us at 0121 285 3366 or lavender.farm@moatfarm-inf.sandwell.sch.uk

Storing children's information

We will only retain your or your child's personal information for as long as necessary to fulfil the purposes for which we collected it, including for the purposes of meeting any legal, accounting or reporting requirements. The information we collect, use and store is retained on our computer systems and in paper files for the periods specified in our Data Retention Policy.

Who we share children's information with

We routinely share children's information with:

- relevant staff within the nursery and Stour Vale Academy Trust
- schools that the children attend after leaving us
- other childcare providers where the child is registered currently (wraparound or blended childcare)
- our local authority
- Ofsted
- the Department for Education (DfE)
- Special Educational Needs coordinators
- Health Services
- Local safeguarding boards
- Civica Education Operations (Parago) – for accident and incident recording
- Tapestry (children's individual online journals)
- School life (nursery website)

Why we share children's information

We do not share information about children with anyone without consent unless the law and our policies allow us to do so.

Decisions on whether to release this personal data to third parties are subject to a robust approval process and are based on an assessment of who is requesting the data, the purpose for which it is required, the level and sensitivity of the data requested and the arrangements in place to store and handle the data.

Requesting access to your personal data

Under data protection legislation, parents and children have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact the nursery manager, Fern Baker on 0121 285 3366 or lavender.farm@moatfarm-inf.sandwell.sch.uk.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress;
- prevent processing for the purpose of direct marketing;
- object to decisions being taken by automated means;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- a right to seek redress, either through the ICO, or through the courts.

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the nursery manager.

Last updated

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated in January 2025.

Contact

If you would like to discuss anything in this privacy notice, please contact:

YourIG Data Protection Officer Service
Dudley MBC
The Council House
Dudley
West Midlands
DY1 1HF

Email: YourIGDPOService@dudley.gov.uk

Tel: 01384 815607