



Registered Charity No: 1130840  
School Mead, Abbots Langley, WD5 0LB  
01923 274483

## **PRIVACY POLICY**

We respect your privacy and your rights to control your personal data.

We will be clear about the data we collect and why.

We do not and will not sell your data to third parties.

Breakspeare Community Preschool provides a sessional preschool experience to children between 2 and 5 years old. Breakspeare Community Preschool is a data controller and a data processor for the purposes of the Data Protection Act 1998 and the European Union's (EU) General Data Protection Regulation (GDPR)

"Privacy Policy" means this Privacy Policy. Unless otherwise stated, our current Privacy Policy applies to all the personal data we have about you.

"Website" means our website at [www.breakspearecommunitypreschool.co.uk](http://www.breakspearecommunitypreschool.co.uk).

"Personal data" may include you and your child's full name, date of birth, postal address, email address and emergency contact details. "Sensitive personal data" may include information regarding your child's health such as allergies or medical conditions and your child's ethnicity.

### **ACKNOWLEDGEMENT OF THIS PRIVACY POLICY**

We have written this Privacy Policy to help you understand how Breakspeare Community Preschool may collect and use you and your child's personal data, and to inform you about the choices you can make about your personal data. This Privacy Policy contains important information about how we handle the data we collect from you - please read it carefully.

By accepting a place for your child and completing the registration form, you acknowledge that you have read this Privacy Policy.

### **YOUR RIGHTS AND CHOICES**

We have a legal requirement to collect certain personal data from you in order to provide your child with a preschool place. Any data that we collect is used only to fulfil our legal obligation and to claim funding from Hertfordshire County Council on your behalf.

You have the right to request a copy of the personal data we hold about you and your child.

You have the right to ask us to correct any of the personal data that we hold about you.

You have the right to ask us to erase your personal data, where it is not a legal requirement that we hold it.

We do rely on you to ensure that your personal data is complete, accurate and up to date. Please do inform us of any changes or inaccuracies in your personal data by emailing preschool:

[info@breakspearecommunitypreschool.co.uk](mailto:info@breakspearecommunitypreschool.co.uk)

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## PERSONAL DATA WE COLLECT FROM YOU AND YOUR CHILD

The Statutory Guidance of the Early Years Foundation Stage (EYFS) details personal data that we legally have to collect in order to provide your child a preschool place:

*“3.72: Providers must record the following information for each child in their care: full name; date of birth; name and address of every parent and/or carer who is known to the provider (and information about any other person who has parental responsibility for the child); which parent(s) and/or carer(s) the child normally lives with; and emergency contact details for parents and/or carers.*

*3.47: Before a child is admitted to the setting the provider must also obtain information about any special dietary requirements, preferences and food allergies that the child has, and any special health requirements. Providers must record and act on information from parents and carers about a child's dietary needs.”*

In addition we ask for personal data regarding your child's ethnic background, religion and what languages they speak and understand. We ask whether your child attends another setting in addition to Breakspeare Community Preschool, whether your child has any other professionals involved in their care and development and whether there is Early Support in place.

Our registration form is designed to collect this personal data from you.

*“3.50 Providers must keep a written record of accidents or injuries and first aid treatment. Providers must inform parents and/or carers of any accident or injury sustained by the child on the same day as, or as soon as reasonably practicable after, and of any first aid treatment given.”*

*“3.7 If providers have concerns about children's safety or welfare, they must notify agencies with statutory responsibilities without delay. This means the local children's social care services and, in emergencies, the police.”*

Throughout the course of your child's time at Breakspeare Community Preschool, there may be occasions where we need to record confidential information beyond the general personal data we keep, for example with regard to any injuries, changes in relation to the child or family, any discussions with parents on sensitive matters, any correspondence with external agencies in relation to your child or any records we are legally obliged to keep regarding action taken in respect of child protection.

## USE MADE OF THE PERSONAL DATA WE COLLECT FROM YOU

We have a legal requirement to collect certain data from you in order to provide your child with a preschool place. Any data that we collect is used only to fulfil our legal obligation and to claim funding from Hertfordshire County Council on your behalf.

In order to claim Free Early Education funding (15 hours entitlement) at 2 or 3, 30 hours funding and Early Years Pupil Premium, we have to provide Herts County Council with the following details:

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Child's name and address, Child's date of birth, Child's NHS number, Child's Birth certificate number or Passport number, Child's Ethnicity, Parent Name and address, Parent NI number, Parent date of birth.

If you do not wish to share this personal data, we will be unable to claim your funding and therefore you will receive an invoice for your child's sessions.

Sensitive personal data regarding your child's ethnic background, religion and what languages they speak and understand is important to us to help support a child and for their ongoing development. Breakspeare preschool is committed to valuing diversity by providing equality of opportunity and anti-discriminatory practice for all staff, children and families. We ensure that our service is fully inclusive in meeting the needs of all children and knowledge of each child's cultural and religious background helps us to do this. Understanding how a child communicates enables us to ensure we are using the best strategies to communicate with them in order to further their development.

We ask whether your child attends another setting in addition to Breakspeare Community Preschool, whether your child has any other professionals involved in their care and development and whether there is Early Support in place as the Statutory Guidance for the EYFS states:

*"3.68: Providers must maintain records and obtain and share information (with parents and carers, other professionals working with the child, the police, social services and Ofsted) to ensure the safe and efficient management of the setting, and to help ensure the needs of all children are met. Providers must enable a regular two-way flow of information with parents and/or carers, and between providers, if a child is attending more than one setting. If requested, providers should incorporate parents' and/or carers' comments into children's records."*

If your child attends another setting, we will share progress updates to ensure that both settings are working towards the same 'next steps' and supporting your child in the same way.

Throughout the course of your child's time at Breakspeare Community Preschool, there may be occasions where we need to record confidential information beyond the general personal data we keep, for example with regard to any injuries, changes in relation to the child or family, any discussions with parents on sensitive matters, any correspondence with external agencies in relation to your child or any records we are legally obliged to keep regarding action taken in respect of child protection.

Accident books are reviewed half termly to ensure that any repeating circumstances are investigated to ensure the ongoing safety of all the children.

Information provided by parents and carers about a change in circumstances, an ongoing health condition or a developmental concern or any correspondence with external agencies in relation to your child will be recorded in the child's file. We use this information to plan for the child's needs within the setting and to ensure that the child's development and wellbeing is supported.

We have a legal responsibility to keep records regarding child protection issues.

This data will only be retained as long as it is needed and will then be disposed of appropriately.

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## WEBSITE AND SOCIAL MEDIA

On the registration form you are asked whether you consent to your child's photo being used on the preschool website. On our website, we keep a photo blog of the children's learning. Your child's name is never used and all images will show the preschool and your child in a positive light.

We use Facebook to share information such as fundraising activities, safety information, a link to our blog and to publicise the Preschool. We never use children's names and all posts and images will show the preschool and children in a positive light.

## SECURITY

We follow strict security procedures (including appropriate technical and organisational measures) in the storage and disclosure of your personal information to try to prevent unauthorised access or loss. The nature of the Internet is such that we cannot guarantee the security of the information you transmit to us via the Internet, and any transmission is at your own risk.

Records stored on Preschool Computers are protected by antivirus and anti-malware software. Files containing personal data are password protected. Passwords are updated regularly. In the event that personal data is shared electronically, documents are password protected and the password is sent under separate cover.

We take appropriate measures to ensure that information disclosed to us is kept accurate and up to date and kept only for so long as is necessary for the purposes for which it is used.

## INFORMATION

We are registered with the Information Commissioner's Office.

Parents have access, in accordance with this Privacy Policy, to the files and records of their own children but do not have access to any other child's personal data.

In accordance with the EYFS Statutory Guidance, we retain children's records for three years after they have left the setting. Accident books are kept until a child turns 21 in accordance with RIDDOR 1995 and the Limitation Act 1980. These are kept in a secure place.

## ACCESS TO THE PERSONAL DATA THAT WE HOLD

Parents may request access to any records held on their child and family following the procedure below:

Any request to see the child's personal file by a parent or person with parental responsibility must be made in writing to the setting leader or manager.

The setting leader informs the chairperson of the management committee and sends a written acknowledgement. The setting commits to providing access within 14 days - although this may be extended.

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All third parties are written to, stating that a request for disclosure has been received and asking for their permission to disclose to the person requesting it. A copy of these letters are retained on the file. 'Third parties' include all family members who may be referred to in the records.

It also includes workers from any other agency, including social services, the health authority, etc. It is usual for agencies to refuse consent to disclose, preferring the individual to go directly to them.

When all the consents/refusals to disclose have been received these are attached to the copy of the request letter. A photocopy of the complete file is taken.

The setting leader and chairperson of the management committee remove any personal data which a third party has refused consent to disclose. What remains is called the 'clean copy'.

The 'clean copy' is photocopied for the parents who are then invited in to discuss the contents. Legal advice may be sought before sharing a file, especially where the parent has possible grounds for litigation against the setting or another (third party) agency.

All the undertakings above are subject to the paramount commitment of the setting, which is to the safety and well-being of the child. Our Safeguarding Policy is available on our website.

#### **RIGHT OF ERASURE**

Records are kept for 3 years in compliance with the EYFS statutory requirements and then shredded. Accident books are kept until a child turns 21 in accordance with RIDDOR 1995 and the Limitation Act 1980.

Parents/ Carers can request that their or their child's personal data is erased, for example: once we no longer require the data to provide a preschool place.

Requests should be in writing and directed to the Preschool Leader.

The Preschool Leader will act upon the request without undue delay and at the latest within one month of receipt in accordance with the GDPR.

#### **AMENDMENTS TO THIS PRIVACY POLICY**

Breakspeare Community Preschool reserves the right to add to or amend this Privacy Policy from time to time. We will inform you that the policy has been updated and the new policy will be available on our website and in hard copy at the preschool. By continuing to access preschool sessions, you acknowledge that you have read the updated version of this Privacy Policy.

#### **LEGAL FRAMEWORK**

General Data Protection Regulation 2018  
Data Protection Act 1998  
Human Rights Act 1998  
RIDDOR 1995  
Limitation Act 1980

This policy was adopted at a meeting of Breakspeare Community Pre-School held on: .....

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Signed on behalf of the Committee:

Name:..... Signature .....

Signed on behalf of the Preschool:

Name: ..... Signature .....

This policy will be reviewed annually in October.

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