

## Sample Privacy Notice for Early Years Funded Providers

The following Privacy Notice document has been produced by North Yorkshire Council using guidance from the Department for Education and contains suggested wording that Early Years Providers may wish to use when issuing parents/carers with their Privacy Notice. It is acceptable if you wish to use your own Privacy Notice.

**Please note:** all wording is only suggested text and Early Years Providers must make sure that they update and amend all information to make sure this document reflects their individual offer to parents/carers.

**Any text in red should be completed with the early years providers name**

Reminders:

A privacy notice must:

- Explain how information about children is used by early years providers
- Must be reviewed and amended to reflect local needs and circumstances.

Must include all of the following:

- Name of Provider and contact details
- What basis do you use to collect personal and special category data?
- What is its purpose?
- Are you holding unnecessary information?
- How do you ensure data is kept up to date?
- Who do you share it with?
- How long do you keep it?
- What is your lawful basis for processing?
- What are their rights as an individual?
- How to make a complaint

**Privacy Notice - Who We Are** [Early Years Providers should insert establishment name and contact details and provide a brief overview of the provision]

The lists under each section may be amended to meet with the Early Years Provider individual offer

**Why we collect and use pupil information**

We collect and use pupil information, for the following purposes:

- a) to provide the child with an education
- b) to monitor and report on pupil attainment progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep children safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us for DfE data collections

The following table provides the rights of individuals (including parents, children and staff) in relation to information held by the Early Years Provider (Early Years Providers should insert their address at the bottom of the document)

<b>The right to be informed</b>	We will inform you about the use of the data; we do this through our privacy notice which details why and how we process your data.
<b>The right of access</b>	-You have a right to request a copy of all of the information we hold on you You can request this by contacting us in writing at the address below
<b>The right to rectification, restrict and object to processing</b>	If you believe the data we hold about you is incorrect, erroneous or causing harm, You have the right to object to the processing of your data at any time, and processing will be stopped
<b>The right to be forgotten</b>	If we are relying on your consent to process your data then you have a right to change your mind and withdraw consent at any time. You can do this by writing to us at the address below

To make a request for your personal information, or be given access to your child's educational record, please contact [Early Years Provider to include details of their administrator / Data Protection Officer] at the address below.

If you have a concern or a complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance.

If you are still unhappy you should contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Under the General Data Protection Regulation (GDPR), the lawful basis that we, [insert name of Early Years Provider] rely on for processing pupil information can be found in the following table [Early years Provider should specify the basis; For example 'We are able to process your personal data as we have a legal obligation and also to fulfil our contract with you']

Legal Basis	Description
Consent	The individual has given their explicit consent that their data can be used and processed. For example that their child can be photographed or they can be emailed for marketing purposes
Contract	You are in a contract with the individual to provide a service
Legal Obligation	The law says you must collect and process the information. For example a child's dietary requirements
Vital Interests	Processing the data is necessary to protect someone's life.
Public Task	Processing the data is in the public interest or it is an official duty. For example the majority of tasks undertaken by a Local Authority.
Legitimate Interests	There is a legitimate interest for you to process the data. For example HR or Payroll data

If data is processed relating to racial or ethnic origin, political opinions, religious or philosophical beliefs, this is defined as a 'special category' **Early Years Provider should be specific: we process your child's special category data, for example; medical information under the following lawful basis]** within Article 9, as well as any of the six bases listed above.

Full details of 'special categories' may be found at [GDPR - Article 9](#)

### How we collect pupil information

We collect pupil information via **[Early Years Providers must explain method of data collection used, for example Parental Agreement Form, registration forms and the format on consent for any voluntary consent]**

Pupil data is essential for the Early Years Provider's operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this. For voluntary information we require your consent.

### How we store pupil data

We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please speak to **[Early Years Provider may wish to provide a link to website or explain their retention period. May also explain or reference the appropriate data retention documents that show where data is held, the security arrangements (high level), and policies about safe use of data within the setting. Ideally, this section should link to policies that are easily accessible and regularly reviewed If you state this in the privacy notice then you must ensure you actually have a retention schedule in case you are asked for it]**

**Who we share pupil information with [Early Years Providers may need to amend and extend this list to include all other parties with whom they regularly share pupil information]**

We routinely share and process personal and special category data that include:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)

- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Other educational establishments that the children attend after leaving us
- our local authority; North Yorkshire Council
- the Department for Education (DfE)

If you would like more information on what the DfE does with your personal data please refer to the DfE website at <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

### **Early Years Provider Contact**

If you would like to discuss anything in this privacy notice, please contact: **[Early Years Provider to insert name / address / contact details of its administrator or Data**