

Privacy Notice

This privacy notice is for the use of pupils and parents of Millfields Nursery School in fulfilment of our responsibility as a data controller under data protection law.

One of our duties under the regulations relates to being open and transparent and as part of this our Privacy Notice is designed to inform you about the way in which we use, collect, store and or share your information.

Personal data means data which relates to a living individual who can be identified.

The individual (known as the Data Subject) must be identifiable from the information, if the information is fully anonymised it is no longer classed as personal information.

Your information may be manually and/or digitally processed through our systems. We make sure our systems have appropriate security to meet the requirements of the General Data Protection Regulation and the Data Protection Act 2018 with regards to safe and secure storage of data. Our systems are only accessible by authorised staff and only to the extent they need in order to carry out their role.

Why do we collect and use personal information?

Without the information we collect and require or share, Millfields Nursery School would not be able to provide you with the services or support for which we have contractual and legal obligations to deliver.

In particular, we will use information about you to:

- Ensure the safety and wellbeing of those using and visiting our premises;
- Provide additional support where appropriate and necessary (e.g.1-2-1 teaching);
- The prevention and or detection of crime;
- To keep parents informed;
- To plan and develop appropriate educational activities and visits;
- Provide education – including but not limited to:
 - pupil enrolment;
 - educational performance/records;
 - attendance;
 - safeguarding;
 - lesson planning;

Information we collect and use

- Name
- Contact details
- Date of birth
- Parents names
- Next of Kin/Emergency Contacts
- Other Agencies involved
- Education records
- Health/medical information (special category data – please see below)
- Safeguarding records
- Educational needs records

How we collect information

We will collect the information in several ways but not limited to: application forms, email, online, directly from pupil/parent, third parties such as doctors, NHS, local authority

Purpose for processing and lawful basis

The lawful basis under which we process your information and the linked reason for processing is:

- When processing your information is necessary to cooperate with and conform to UK law or another legal obligation to which the School is subject
- The purpose of processing is to carry out a task in the public interest or the exercise of official authority vested in the controller, eg after school, lunchtime services

We also process personal data about our children in care or those children to whom we provide services, and use these data to:

- Support children and monitor their progress
- Provide appropriate support and pastoral care
- Assess how well the Local Authority services as a whole is doing

This information includes personal characteristics and details for the services we provide.

There may be occasions when we use and/or share your information in order to protect you or another individual and prevent serious harm.

In circumstance where none of the above lawful reasons apply we will only collect and use your information with your consent. Please note you can withdraw your consent to this processing at any time by contacting us at our main address (detailed below). The common instances when consent may be required include but are not limited to:

- Taking photos which may be published externally, for example on the school website or newsletter, or school prospectus.
- Taking part on activities such as day trips or sporting events where consent is required,
- Sharing with third party support services which are not compulsory or essential but may provide a benefit

Special Category Data

Special category data is information which is deemed particularly sensitive and which unlawful processing could create risks to you. The following information is classed as special category:

Race, Ethnicity, Political Opinion, Religious or Philosophical Beliefs, Trade Union Membership, Genetic and Biometric Information, Health, and Sexual Orientation.

When using your information we must make sure that we have a lawful reason to do so. The reasons the school will primarily use for the processing of your special category information are:

- where it is necessary in order for us to carry out our obligations and exercising specific rights of the school or of the data subject in relation to employment and social security and social protection law;
- Necessary for reason of substantial public interest.

In circumstances where none of the above lawful reasons apply we will only collect and use and or share your information with an appropriate legal and justified reason or your explicit and informed consent. Please note you can withdraw your consent to this processing at any time by contacting us at our main address (detailed below)

Who we may share your information with:

We only share information about you with carefully selected and monitored organisations or individuals and only share when there is a clear lawful basis which allows the sharing. Some examples of why may use your information include but are not limited to:

- Report on census data to the DFE
- Assess your eligibility for 30 hour funding
- Assess your eligibility for pupil premium

In order to (insert details of service or public function being carried out) we may need to share your information with the following entities:

Care agencies
Charities
Childrens Social Care
Local Councils
Department for Work and Pensions
Department of Education
Education providers
Health agencies
HMRC
Police

Other Parents - we may also from time to time share your child's information such as in photos or early interventions with other children as part of our role in providing parents with updates and support such as our "Early Learning Journey" books. Books may contain images of your child playing or interacting with other children and parents are strongly advised that these books are created and shared with you for your own personal use and are not to be shared elsewhere or via social media as we must all respect the confidentiality and privacy of our children.

We are required to pass on some of this information (but not the names of individual children) to the Department for Education (DfE). The DfE uses this information to help with policy development, LA performance management and funding and to assist with the development of good practice.

There may also be occasion when we will share your information with relevant third parties when required to do so by law.

All people with access to your information will do so under strict adherence to Data Protection law, adequate safeguards and appropriate authorisation.

How long we will hold your information

In line with guidance provided by the Information and Records Management Society – Guidelines for Schools and or Local Government retention schedules

Your rights

You have the following rights with regard to your personal information:

Right to be informed – You have the right to know the following:

- what information we intend to collect,
- why we need your information,
- the lawful basis under which we can process your information,

- how we will process your information,
- whether we share your information,
- who we might share your information with,
- your rights until the law,
- how long we will retain your information and how you can contact us.

This Privacy Notice should have detailed all of the above but if for any reason you are dissatisfied with our stewardship of your information, you have the right to lodge a complaint with the Information Commissioners Office (ICO), contact details are provided below.

Access to your information – If you would like to know what information we hold and process about you, the category of information, who we share your information with, to ascertain the accuracy of the information and the criteria we apply in processing your information, you can make a request to us in writing.

To make a subject access request and receive a copy of your personal information, contact
Lynne Emery, Headteacher

Please be aware we may need you to provide appropriate identification.

We should respond to your request within 30 days of receipt but if the request is complex and more time is required we will inform you in writing.

Rectification of your information – If it is established that information we hold about you is incorrect, you have the right to request that we correct this information.

Erasure of your information – In cases where the information we hold about you is no longer required in relation to the purpose for which it was collected and where there are no lawful grounds for holding your information, you can request an erasure of information.

The Right to Restrict processing –You can restrict us from using your information if you believe the data is inaccurate or if there are no lawful grounds for using the information but you do not want us to delete the information. In addition you can prevent us from deleting information we no longer use or need if you require it for a legal claim or defence. Following investigation, if it is determined that the right to restrict processing should not apply the School will inform you of reasons for this before the restriction is lifted.

Right to Data Portability - if lawful basis for processing is performance of a contract or consent you have the right to request that information be transferred to another public authority or other controller. Your data portability request will have to be made in writing, we will assess your request in accordance with the provisions of the GDPR to ascertain if your request is covered under the law. Our response will contain our decision regarding the viability of your request and asking you to choose between the following:

- If you want the information handed to you.
- If you would like the information transferred directly to the public authority or other controller.

Right to Object – If you object to the School using your information in the ways detailed about we will cease to process your information unless we can show there are legitimate reasons which override your interests

Whether or not you have legitimate grounds to object to processing of your information, the School will respond to your request within one month stating that your request has been upheld or the reasons for not upholding your request if that is the case.

Millfields Nursery School Data Protection Officer (DPO) is Paul Withers. If you have any questions about your rights under the GDPR, how the School uses your information, or you wish to make a complaint about how we have processed or utilised your data, Paul Withers will be able to help. How to contact our DPO:

Contact Address:

Office of the DPO
Resources & Transformation
Civic Centre 3rd Floor (HR Suite)
Walsall Council
Darwall Street
Walsall
WS1 1TP

Email Address: Informationmgmt@walsall.gov.uk

Contact Telephone Number: 01922 650970

Should you be dissatisfied with the response you receive, you can contact the Information Commissioner's Office (ICO) with the details given below:

ICO

Address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Email Address:

Use the online form via this link <https://ico.org.uk/global/contact-us/email/>

Telephone Numbers:

Calling from within the UK 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate.

Calling from outside the UK +44 1625 545 745.