



# Cassiltoun Stables Nursery Privacy Notice

## What is the purpose of this document?

Cassiltoun Stables Nursery Ltd is committed to protecting the privacy and security of your personal information.

This privacy notice describes how the Nursery collects and uses personal information about children attending the Nursery (“Child” or “Children”) and the parents of the Children (“Parents”) (known collectively as “You” or “Your”), in accordance with the General Data Protection Regulation (GDPR).

Cassiltoun Stables Nursery Ltd is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about You. We are required under data protection legislation to notify You of the information contained in this privacy notice.

This notice applies to Children and Parents. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time but if we do so, we will provide You with an updated copy of this notice as soon as reasonably practical.

It is important that Children (where applicable) and Parents read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about You, so that You are aware of how and why we are using such information and what Your rights are under the data protection legislation.

## Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told You about.
6. Kept securely.

## The kind of information we hold about you.

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are “special categories” of more sensitive personal data which require a higher level of protection, such as information about a person’s health.

## Children:

We will collect, store, and use the following categories of personal information about Children:

- Name
- Date of birth
- Home address
- Dietary requirements
- Attendance information
- Photographs and video clips of the Child to signpost Children to where their belongings are stored at the Nursery that they attend, and for general display purposes.
- Emergency contact should Parents be unavailable and the emergency contact’s contact details.
- ‘Family App’ for each Child containing the work of the Child whilst at the Nursery, observations about the Child’s development whilst at the Nursery from Employees of the Nursery, specific examples of the Child’s progress, photographs demonstrating the Child’s development whilst at the Nursery, and personal details of the Child (e.g., their date of birth) (“Progress Report”)
- Records relating to individual Children e.g., care plans, common assessment frameworks, speech, and language referral forms.
- Accidents and pre-existing injuries forms
- Records of any reportable death, injury, disease, or dangerous occurrence
- Observation, planning and assessment records of Children.

We may also collect, store, and use the following “special categories” of more sensitive personal information:

- Information about a Child’s race or ethnicity, spoken language and nationality.
- Information about a Child’s health, including any medical condition, health, and sickness records.
- Information about a Child’s accident or incident reports including reports of pre-existing injuries.
- Information about a Child’s incident forms / child protection referral forms / child protection case details / reports.

## Parents:

We will collect, store, and use the following categories of personal information about Parents:

- Name
- Home address
- Telephone numbers, and personal email addresses.

We may also collect, store, and use the following “special categories” of more sensitive personal information:

- Information about a Parent’s race or ethnicity, spoken language and nationality.
- Conversations with Parents where Employees of the Nursery deem it relevant to the prevention of radicalisation or other aspects of the governments Prevent strategy.

## **How is your personal information collected?**

We collect personal information about Children and Parents from when the initial enquiry is made by the Parent/carer, through the enrolment process and until the Children stop using the Nursery’s services.

## **How will we use information about you?**

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the contract, we have entered into with you.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else’s interests).
2. Where it is needed in the public interest or for official purposes.

## **Situations in which the nursery will use personal information of Children.**

We need all the categories of information in the list above (see Children Section within the Paragraph entitled ‘The Kind of Information We Hold About You’) primarily to allow us to perform our obligations (including our legal obligations to Children. The situations in which we will process personal information of Children are listed below.

- Upon consent from the Parents, Personal Data of Children will be shared with schools for progression into the next stage of their education.
- Personal information of Children will be shared with local authorities without the consent of Parents where there is a situation where child protection is necessary.
- The personal information of Children will be shared with local authorities without the consent of Parents for funding purposes.
- Care Inspector will be allowed access to the Nursery’s systems to review child protection records.
- Communications systems and preventing malicious software distribution.

- Equal opportunities monitoring.
- To ensure we meet the needs of the Children.
- To enable the appropriate funding to be received
- Report on a Child's progress whilst with the Nursery
- To check safeguarding records
- To check complaint records
- To check attendance patterns are recorded.
- When a Child's Progress Report is given to its Parent in order for that Parent to pass the same Progress Report to a school for application or enrolment purposes

## **Situations in which the Nursery will use personal information of Parents.**

We need all the categories of information in the list above (see Parents Section within the Paragraph entitled 'The Kind of Information we Hold About you') primarily to allow us to perform our contracts with Parents and to enable us to comply with legal obligations. The situations in which we will process personal information of Parents are listed below.

- The personal information of Parents will be shared with local authorities without the consent of Parents for funding purposes.
- To report on a Child's attendance
- To be able to contact a Parent or a Child's emergency contact about their Child.
- To ensure nursery fees are paid.

## **If Parents fail to provide personal information**

If Parents fail to provide certain information when requested, we may not be able to perform the respective contracts we have entered with Parents, or we may be prevented from complying with our respective legal obligations to Children and Parents.

## **Change of purpose**

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify the Child or Parent, as is appropriate in the circumstances, and we will explain the legal basis which allows us to do so.

We may process a Child's or a Parent's personal information without their respective knowledge or consent, as relevant to the circumstances, in compliance with the above rules, where this is required or permitted by law.

## **How we use particularly sensitive personal information**

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing, and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with Parent explicit written consent.

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 Child or a Parents' interests (or someone else's interests) and the Child or Parent as is appropriate is not capable of giving consent, or where the Parent has already made the information public.

## **Information about criminal convictions**

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided, we do so in line with our data protection policy.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect the interests of you (or someone else's interests) and you are not capable of giving your consent, or where a Parent, as is relevant to the circumstances, has already made the information public.

We envisage that we will hold information about criminal convictions.

We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so, which includes but is not limited to Disclosure and Barring.

We are allowed to use your personal information in this way to carry out our obligations. We have in place an appropriate policy and safeguards which we are required by law to maintain when processing such data.

## **Data Sharing**

We may have to share Child or Parent data with third parties, including third-party service providers and other entities in the group.

We require third parties to respect the security of your data and to treat it in accordance with the law.

## **Why might the Nursery share Child or Parent personal information with third parties?**

We will share Your personal information with third parties where required by law, where it is necessary to administer the working relationship with You or where we have another legitimate interest in doing so.

## **Which third-party service providers process my personal information?**

” Third parties” includes third-party service providers (including contractors and designated agents), local authorities, regulatory bodies, schools, and other entities within our group. The following third-party service providers process personal information about you for the following purposes:

- Local Authorities – for funding and monitoring reasons (e.g., equal opportunities and uptake of funded hours)
- Regulatory bodies – for ensuring compliance and the safety and welfare of the children.
- Schools – to provide a successful transition by ensuring information about the child’s progress and current level of development and interests are shared.

We will share personal data regarding your participation in any pension arrangement operated by a group company with the trustees or scheme managers of the arrangement in connection with the administration of the arrangements.

## **How secure is my information with third-party service providers and other entities in our group?**

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

## **When might you share my personal information with other entities in the group?**

We will share your personal information with outside agencies such as Education Scotland, Social Services, NHS, Police, Health Visitor, Psychologist, Speech and Language therapist, Schools, Eye Clinic, and any other relevant agency who will support your child when required.

We will share your information with Glasgow City Council to obtain funding when your child is eligible.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights).

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure Your right to access the information (or to exercise any of Your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### **Right to withdraw my consent**

In the limited circumstances where you may have provided your consent to the collection, processing, and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact Hazel Kelly the Nursery Manager or Michelle McMillan the Administration and Finance Administrator. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose you originally agreed to, unless we have another legitimate basis for doing so in law.

### **Changes to this privacy notice**

We reserve the right to update this privacy notice at any time, and we will provide You with a new privacy notice when we make any substantial updates. We may also notify You in other ways from time to time about the processing of your personal information.