

Collecting, using and keeping your information secure

What information do you collect about me and my child?

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

- Personal information (including name, age, and address) for both parents/guardians and children
- Demographic details (such as ethnicity, language, nationality, country of birth) for children
- Attendance and absence information for children
- Relevant medical information for children (such as allergy information)
- Attainment, behavioural, and special educational needs information for children
- Bank details for parents/guardians, and payroll details for those who are staff of Imperial College Healthcare NHS Trust
- Proof of identity for parents/guardians
- Funding information and details
- Birth certificates or passports for funding
- Relevant safeguarding information

Why do you collect my information and the information of my child?

We collect information about you as a parent/guardian and about your child in order to provide the best possible service. We need to process information about you and your child to ensure children's safe and effective pastoral care; to support their learning and attainment; to assess and improve the quality of our service and; to meet our statutory obligations as a childcare provider.

We collect and process information about you as a parent/guardian and about your child in accordance with the Statutory Framework for the Early Years Foundation Stage (given legal force by the Childcare Act 2006). This framework provides a set of common principles and commitments to deliver quality early education and childcare experiences to all children.

Any collection and processing of this information is supported by an appropriate legal basis. Below we have set out the legal bases which we rely on for our processing activities:

Consent (Article 6(1)(a) GDPR):

We ask for parent or guardian consent with regards to children's photography for use in the nursery, nursery nativity, Early Years Foundation Stage Learning Journal, and parents' page on the nursery website.

We also ask for parent or guardian consent to sharing of children's Two Year Old Progress Check, undertaken in line with Early Years Foundation Stage requirements.

Consent to each of these processing activities is captured under the admission form for the nursery. These consents are explicit, opt-in, specific, and not a precondition of service. Consent may be withdrawn at any time by contacting the nursery.

Contractual obligations (Article 6(1)(b) GDPR):

Bank details, funding information, and proof of identity are collected as necessary for the performance of our contractual obligations in the provision of our nursery services to you and your child.

Legal compliance (Article 6(1)(c) GDPR):

Data about parents or guardians and children, and children's educational attainment, are processed as necessary under the Statutory Framework for the Early Years Foundation Stage (given legal force by Childcare Act 2006). This processing is undertaken on the basis of ensuring compliance with this legislation.

Public interest and legitimate authority (Articles 6(1)(e), 9(2)(g), and 9(2)(h) GDPR)

Safeguarding information and relevant medical information are processed by the nursery both in the public interest with respect to health, and under the official authority vested in the Trust as data controller.

The processing of these sensitive data categories is undertaken, respectively, for the substantial public interest of the safeguarding of children, and for the provision of healthcare.

How is does Charing Cross Day Nursery process my information and the information of my child?

Our nursery service is supported in its administrative functions by some external providers, which process your information on our behalf. This software supports the nursery in administrative functions. These functions include:

- registration;
- processing financial information;
- planning;
- enquiries;
- diary management;
- recording relevant allergy, immunisation data;
- recording children's experiences, achievements and assessment progress

To ensure that we are compliant with the relevant legislation, and to ensure that your data and the data of your child is processed securely, we have made sure to formalise our data processing relationships with these third party suppliers. Imperial College Healthcare NHS Trust acts as the data controller, with the suppliers serving as the data processors, processing information in accordance with the purposes and means set out by the Trust.

If you are a parent/guardian and also a staff member of Imperial College Healthcare NHS Trust, we will process your payroll number.

How long is my information retained by Charing Cross Day Nursery?

Our nursery service complies with the relevant recommendations and requirements for the retention of data as per industry best practice and compliance with the law. The below table sets out the relevant retention periods for various record types:

Children's records	Retention period	Status	Authority
Children's records - including registers, medication record books and accident record books pertaining to the children	A reasonable period of time after children have left the provision (e.g. until after the next Ofsted inspection)	Requirement	Statutory Framework for the Early Years Foundation Stage (given legal force by Childcare Act 2006)
	Until the child reaches the age of 21 - or until the child reaches the age of 24 for child protection records	Recommendation	Limitation Act 1980 Normal limitation rules (which mean that an individual can claim for negligently caused personal injury up to 3 years after, or deliberately caused personal injury up to 6 years after the event) are postponed until a child reaches 18 years of age
Records of any reportable death, injury, disease or dangerous occurrence	3 years after the date the record was made	Requirement	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (as amended)
Personnel files and training records (including disciplinary records and working time records)	6 years after employment ceases	Recommendation	Chartered Institute of Personnel and Development
DBS check	6 months	Recommendation	DBS Code of Practice The following basic information should be retained after the certificate is destroyed: the date of issue; the name of the subject; the type of disclosure; the position for which the disclosure was requested; the unique reference number; and the details of the recruitment decision taken
Staff accident records (for organisations with 10 or more employees)	3 years after the date the record was made (there are separate rules for the recording of accidents involving hazardous substances)	Requirement	Social Security (Claims and Payments) Regulations 1979
Assessments under Health and Safety Regulations and records of consultations with safety representatives and committees	Permanently	Recommendation	Chartered Institute of Personnel and Development
Accounting records	3 years from the end of the financial year for private companies, 6 years for public limited companies	Requirement	Companies Act 2006
	6 years for charities	Requirement	Charities Act 2011
Employers' liability insurance records	For as long as possible	Recommendation	Health and Safety Executive

What are my rights regarding my information?

You have the right to request a copy of the information that we hold about you – this is called a ‘subject access request.’ We will provide this on paper or electronically within one month of your request in most cases.

If the information that we hold about you is incorrect, you have the right to have it corrected. You may have a right to erasure of your data, though this is qualified by our obligations under the relevant legal framework to retain your data, which may impact upon this right.

More Information and Contacts

Our Data Protection Officer is Philip Robinson, you can contact him at:

Data Protection Office, 8th Floor Salton House, St Mary’s Hospital,
Praed Street, London, W2 1NY

Email: imperial.dpo@nhs.net Telephone: 020 370 48355

If you want to request access to the information that we hold about you, please contact:

Charing Cross Day Nursery
Imperial College Healthcare NHS Trust
020 3313 5589

Imperial College Healthcare NHS Trust is a registered data controller under the Information Commissioner’s Office.

You can contact the Information Commissioner’s Office at:
Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Website: www.ico.org.uk/concerns Telephone: 0303 123 1113