



Kingsley Explorers

How We Use Your Information **Privacy Notice for Parents**

Introduction

This privacy notice is for parents and carers of our nursery children. Where the notice refers to “parents” this includes all individuals with overall responsibility for child, such as biological or adoptive parents, those with parental responsibility and / or those who care for a child.

This privacy notice provides key information about **how** and **why** we collect your personal data, and **what** we do with that information. It does not, and is not intended to, give you any rights which you did not already have, for example, it does not give you any additional contractual rights.

Kingsley Explorers (the Nursery), is the controller of your personal data, and our contact details are:

Nursery Manager at Kingsley Explorers, Beauchamp Avenue, Royal Leamington Spa, Warwickshire, CV32 5RD. Telephone: 01926 474 320

What is "personal data"?

Personal data is information about you from which you can be identified (either directly or indirectly). For example, information about your family circumstances, your financial information and images of you.

Where we get your personal data from and who we share it with

We obtain your personal data from a number of different sources. We receive a lot of information directly from you, for example, when you complete the registration form. We also receive information from other sources such as our staff, your child, your child's previous nurseries, other members of your family, other children and their parents, as well as from individuals outside of the Nursery.

We may also get information about you from government and from regulators, for example, from the local authority.

We will also share information with these individuals and organisations where appropriate. For example, if you tell us about something that has happened at home, we may share this with Nursery staff if it is relevant.

The sections below contain further information about where we get your personal data from and with whom it is shared.

Why we use your personal data and the lawful bases

We use your personal data in order to:

- fulfil our obligations and enforce our rights under our contract with you;
- teach your child and other pupils;
- look after your child and others, including, other children and staff;
- enable the Nursery to comply with its legal obligations, support the management and operation of the Nursery and to advance and protect the Nursery's interests, objectives and reputation;

Our lawful bases for using your personal data are as follows:

- **Contract:** We need to use your personal data to meet our obligations under our contract with you and so that you can meet your obligations to us. For example, we need your name and contact details to update you on your child's progress. We may also rely on this basis if you have asked us to take steps prior to entering into a contract with us.

- **Legitimate interests:** This means that the Nursery is using your personal data where this is necessary for the Nursery's legitimate interests or someone else's legitimate interests.
 - Specifically, the Nursery has a legitimate interest in:
 - educating and looking after its children;
 - complying with its contract with you for your child to be at the Nursery;
 - enforcing our rights against you, for example, by contacting you if nursery fees remain unpaid;
 - investigating if something has gone wrong; and
 - protecting, promoting and improving the Nursery.

This lawful basis only applies where our legitimate interests are not overridden by your interests, rights or freedoms.

It applies to all five purposes listed above.

- **Public task:** This allows the Nursery to use your personal data where it is necessary to perform a task in the public interest or to exercise one of the Nursery's official functions or powers. This basis applies to purposes 2, 3 and 4 above; for example, when we use your personal data to look after your child.
- **Legal obligation:** The Nursery may need to use your personal data to comply with a legal obligation, for example, reporting a concern about your child's wellbeing to Children's Services or in connection with inspections.
- **Vital interests:** In limited circumstances, we may use your personal data to protect your vital interests or those of another person, for example, to prevent serious harm or death.

The section below contains more information about our purposes for using your personal data and the lawful bases.

Our purposes and lawful bases in more detail

This section provides more detail on the purposes for which your personal data is used, the applicable lawful bases, as well as further information about sources and recipients.

We have used a colour coded system so that you can see which bases we are relying on for each of the purposes described below. **LI** means legitimate interests, **CT** means contract, **PI** means public task, **LO** means legal obligation and **VI** means vital interests. So, if we have put (**LI**, **PI**) that means we are relying on both legitimate interests and public task for that purpose.

1. The Nursery's primary reason for using your personal data is to provide your child and other children with a safe, nurturing, and educational environment that supports a child's early development (**LI**, **CT**, **PI**).
2. We will use information about you to process your child's admission application. This information comes from admissions forms, your child's previous nurseries, and sometimes from professionals such as doctors and local authorities (**LI**, **CT**, **PI**).
3. We will hold information about any family circumstances that might affect your child's welfare or happiness. This helps us provide appropriate care and support to your child (**LI**, **CT**, **PI**).

4. We may use medical information about you when necessary to look after your child (LI, CT, PI).
5. We will hold information about any court proceedings, court orders, or criminal petitions relating to you. This is to safeguard the welfare and wellbeing of your child and other pupils at the Foundation (LI, CT, PI).
6. We use CCTV to help keep the Nursery premises safe, and for crime detection and prevention. CCTV may also be used in relation to complaints and incidents on our sites, for example, accidents involving vehicles in our car park(s). Images captured by CCTV are your personal data. CCTV is not used in private areas such as toilets or changing rooms (LI, CT, PI, LO).
7. We will use your personal data to take other steps to ensure the safety of the Nursery premises and buildings, for example, by keeping a record of visitors to the Nursery premises at any given time (LI, PI, LO).
8. If there is a complaint or grievance made to the Nursery that involves you, we will use your personal data in connection with that complaint or grievance (LI, PI).
9. The Nursery may share information about you with the local authority to prepare, implement and / or review your child's Education and Health Care Plan ("EHCP") (LI, PI, LO).
10. Where appropriate, the Nursery will hold information about your religious beliefs or other practices. For example, dietary restrictions (LI, PI).
11. We may take images (including video recordings) of you at Nursery events to use on social media and the Nursery website. This is to show prospective parents what we do and promote the Nursery. We may continue to use these images after your child has left the Nursery (with consent only) (LI).
12. We will send you information to keep you up to date with what is happening at the Nursery, for example, by providing details about events and activities (LI).
13. We may use your personal data when ensuring network and information security, for example, our anti-virus software might scan files containing information about you (LI).
14. We also keep certain information indefinitely for archiving purposes (referred to as "archiving in the public interest" under data protection law) and for historical research purposes. For example, we retain some old images to record what the Nursery was like in the past. Information held in our archive may be made publicly available, but only in compliance with data protection laws (LI, PI).
15. We may use your personal data in connection with legal disputes, for example, we may have to disclose your personal data as part of court proceedings (LI, PI, LO).
16. Financial information
17. We will process information about you for fee payments, and for risk management and compliance purposes. In some cases, we may receive information from third parties such as credit reference agencies or your child's previous nurseries (LI, CT).
18. We may ask you to provide evidence of your identity, such as a copy of your driving licence or passport, to keep a record of who is paying the fees for anti-money laundering purposes (LI).
19. We will hold information about bankruptcy petitions and statutory demands, where relevant (LI, CT).
20. We may share your personal data with debt recovery agencies if you do not pay our fees or any other sums owed to the Nursery (LI, CT).

21. Sharing personal data with others

22. We will share information with local authorities, Ofsted, for example, where there are safeguarding concerns or to comply with our legal obligations. These organisations may also share information with us for these purposes (LI, LO, PI).
23. We may need to share your personal data with the police or other law enforcement authorities, but only in specific circumstances and where necessary to assist with investigations (LI, CT, LO, PI).
24. We may need to share information about you with the Health and Safety Executive where there is a health and safety issue at the Foundation (LI, LO, PI).
25. We may also need to share information with our legal advisers for the purpose of obtaining legal advice (LI, LO, PI).
26. Occasionally, we may use consultants, experts and other advisers to assist the Nursery in fulfilling its obligations and operate effectively. For example, this could include accountants. We will share your personal data with them only when relevant to their work (LI, CT, PI).
27. We may share information about you with, and receive information from, health authorities, healthcare providers, and professionals, for example, regarding pupil immunisations (LI, PI).
28. We may share some information with our insurance company and their representatives to make sure that we have the insurance cover that we need or in connection with an actual or possible claim (LI, PI).
29. If the Nursery is handling a request for information, query, complaint, or grievance, for example, from another parent, we may need to share your personal data with relevant parties, including appropriate staff, parents, or governors, where it is necessary and appropriate (LI, PI).
30. If you have unpaid fees, we may share information about this with other schools or educational establishments to which you propose to send your child (LI).
31. If your child leaves to attend another nursery, we may share information about you with that school, for example, details relating to family circumstances or safeguarding concerns (LI, LO, PI).
32. We may share information about you with other family members where necessary to care for your child, to comply with legal or regulatory obligations, or in relation to school fees (LI, PI).
33. We may need to share information in an emergency, for example, if you are injured while on Nursery premises (LI, VI).
34. If your child has an EHCP, we will share information with and obtain information from the local authority about you (LO, PI).
35. Some records held by the Nursery containing your personal data may be used by the Nursery or third parties (such as government bodies) to assess the Nursery's performance (LI, PI).
36. We may share your personal data with the Nursery's governors if it is necessary for them to be aware of it or to fulfil their governance role, for example, concerns involving you or your child, or issues affecting the Nursery's operation (LI, PI).

As you will see above, in some cases we rely on more than one lawful basis for a particular use of your information.

We use service providers to handle personal data on our behalf for the following purposes:

- we engage IT consultants who may access information about you when checking the security of our IT network;
- we use software, apps and websites to support teaching and pastoral care and
- we use third party "cloud computing" services to store certain information, rather than keeping it on the Foundation's premises.

We may share your personal data with any of the representatives or advisers of any of the third parties mentioned in this privacy notice. Likewise, these parties may also provide us with information about you.

Consent

We may ask for your consent to use your information in certain ways instead of relying on the lawful bases above (LI or PI). For example, we might ask your consent to send you fundraising information by email.

You can withdraw your consent at any time. However, any use of your personal data before you withdraw consent will remain lawful.

You can speak to the Nursery Manager if you would like to withdraw any consent given.

For how long do we keep your personal data?

We keep your personal data for as long as we need to for the purposes set out in this privacy notice.

In certain circumstances, we may retain your personal data for longer than usual, but only where we have a valid reason and are permitted to do so under data protection law.

What decisions can you make about your information?

- **Correction:** If the Nursery holds incorrect or incomplete information about you, you have the right to ask us to correct it.
- **Access:** You have the right to ask what information we hold about you and to request a copy. This is known as making a subject access request. We will provide you with additional details, including why we use your information, where it came from, and who we have shared it with.
- **Deletion:** You can request that we delete the information we hold about you in certain circumstances, such as when it is no longer needed.
- **Portability:** You can request that your personal data be transferred to you or a third party in a computer readable format.
- **Restriction:** You can request that we restrict how your personal data is used in certain circumstances.
- **Object:** You have the right to object to us using your personal data in the following cases:
 - where the lawful basis on which we are relying is either legitimate interests or public task. Please see the section 'Our purposes and lawful bases in more detail' above; and
 - if your personal data is ever used for scientific or historical research, or statistical purposes.

Some of these rights may not apply in all cases. For example, if you request deletion of your personal data, we may not always be required to comply with your request.

Further information and guidance

Please speak to the Nursery Manager if:

- you would like further information about any aspect of this privacy notice;
- you would like to exercise any of your rights listed above;
- you would prefer that certain information is kept confidential. Please note that there will be occasions when your expectation of confidentiality is overridden by the Nursery's other obligations, for example, if we need to share information for safeguarding reasons.

If you do not provide certain information when requested, we may be unable to fulfil our contractual obligations to you. We may also be unable to comply with our legal duties, such as safeguarding your child. Additionally, failing to provide this information could affect the education and care we are able to offer your child.

If you are unhappy with how we have handled your personal data, you have the right to complain to the ICO ([Information Commissioner's Office](#)). However, we kindly ask that you contact us first, so we have the opportunity to resolve any concerns before you escalate the matter.