

# LITTLE SPONGES MONTESSORI

## PRIVACY NOTICE

The General Data Protection Regulation (GDPR) is a new EU law that will come into effect on 25<sup>th</sup> May 2018. It will replace the current Data Protection Act 1998 and the changes will remain in place even after the UK leaves the EU.

Little Sponges Montessori is committed to ensuring that any personal data we hold about you and your child is protected in accordance with data protection laws and is used in line with your expectations. We will process your personal data as necessary to perform our contract with you, to comply with a legal obligation such as legal and regulatory requirements and based on your consent for a specific purpose.

This Privacy Notice explains what personal data we collect, why we collect, it, how we use it and how we protect it.

### **Who processes your information?**

#### **Little Sponges is a 'Data Controller'**

We, **Little Sponges Montessori**, 38A Hyde Vale, Greenwich, London SE10 8QH are the '**Data Controller**' under the terms of the **Data Protection Act 1998** and the **General Data Protection Regulation (to be enforced from 25<sup>th</sup> May 2018)**.

The **Data Protection Lead** is Nicole Bacon.

### **What personal data do we collect?**

We collect personal data about you and your child to provide care and learning that is tailored to meet your child's individual needs.

#### Personal details that we collect about your child include:

- Your child's name, date of birth, health and medical needs, development needs and any special educational needs.
- Characteristics (such as language(s) spoken).
- Attendance information

Where applicable, we will obtain child protection plans from Social Care and Health Care plans from health professionals.

We will also ask for information about who has parental responsibility for your child and any Court Orders pertaining to your child. A copy of your child's birth certificate is requested to verify parental responsibility.

#### Personal details that we collect about you include:

- Your name, home address, phone numbers, emergency contact details, and the contact details of other people who are authorised to pick up your child or be contacted in an emergency.
- We process financial information about you in relation to payment of fees.

This information will be collected from you directly in the Registration form, Contract/Admissions form and Child's Settling-in form.

Information about individual children is used in some documents such as a daily register, medication forms, accident reports and referrals to external agencies. These documents include data such as children's names, date of birth and sometimes address. These records are destroyed after the relevant retention period.

### **Why we collect and use this information and the legal basis for handling your data**

We use personal data about you and your child in order to provide childcare services and fulfil the contractual arrangement you have entered into. This includes using your data to:

- Contact you in case of an emergency
- To support your child's wellbeing and development
- To manage any special educational, health or medical needs of your child whilst at our setting.
- To carry out regular assessment of your child's progress and respond to any questions you may have.
- To keep you updated with information about our service.

With your consent, we will also record your child's activities for their individual learning record. This may include photographs. You will have the opportunity to withdraw your consent at any time, for images taken, by confirming so in writing.

We have a legal obligation to process safeguarding-related data about your child should we have concerns about their welfare. We also have a legal obligation to transfer records and certain information about your child to the school that your child will be attending.

### **Who we share your data with**

In order for us to deliver childcare services, we will also share your data as required with the following categories of recipients:

- "My Montessori Child" – secure, on-line assessment tool used by Little Sponges Montessori for your child's learning and development.
- The Health Visiting Team, Oxleas NHS Trust, for the purpose of the Integrated Two-year Check.
- The Local Authority
- Ofsted – during an inspection or following a complaint about our service.
- Our insurance company, for example, if there is a serious accident or incident.
- The school that your child will be attending.

We will also share your data if:

- There is an emergency, for example, if you or your child are hurt on the premises.
- We are legally required to do so, for example, by law.
- To enforce or apply the terms and conditions of your contract with us.
- To protect your child and other children; for example, by sharing information with Social Care or the Police;
- It is necessary to protect our rights, property or safety.
- We need to contact our legal advisor for the purpose of obtaining legal advice.

We do not share information with anyone without consent unless the law and our policies require us to do so. We will never share your data with any other organisation to use for their own purposes.

### **How do we protect and store your data?**

We protect unauthorised access to your personal data and prevent it from being lost, accidentally destroyed, misused, or disclosed by:

- Ensuring that all personal information is handled and processed by authorised persons only, including secure log-in access to the on-line learning and assessment tool, *My Montessori Child* which is subject to data protection law.
- Storing documentation securely, for example, paper records in locked cabinets, and ensuring that computers are password-protected and maintained with appropriate anti-virus software. Data is backed up so that any loss may be restored with the least possible delay.

### **How long do we retain your data?**

We retain your child's data for two years after your child no longer attends our setting, or until our next Ofsted inspection after your child leaves our setting when the data is erased / shredded on-site. This includes

data held on the on-line learning and assessment tool, *My Montessori Child*. Medication records and accident records are kept for longer according to legal requirements. Your child's learning and development records are maintained by us and transferred to you when your child leaves, in the form of a detailed report and by enabling you to download their Learning Album from *My Montessori Child*.

In some instances (child protection, or other support service referrals) we are obliged to keep your data for longer if it is necessary to comply with legal requirements.

### **Automated decision-making**

We do not make any decisions about your child based solely on automated decision-making.

### **Your rights with respect to your data**

You have the right:

- To be informed about how Little Sponges uses your personal data
- To request access to, amend or correct your/your child's personal data
- To request that we delete or stop processing your/your child's personal data, for example, where the data is no longer necessary for the purposes of processing; and
- To request that we transfer your and your child's personal data to another person.

Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.

If you wish to exercise any of these rights at any time or if you have any questions, comments or concerns about this Privacy Notice, or how we handle your data, please contact us via the Data Protection Lead, Mrs. Nicole Bacon. If you continue to have concerns about the way your data is handled and remain dissatisfied after raising your concern with us, you have the right to complain to the Information Commissioner's Office (ICO). The ICO can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF or [ico.org.uk](http://ico.org.uk)

### **Changes to this Privacy Notice**

We keep this Privacy Notice under regular review. You will be notified of any changes, where appropriate.

Updated 14.5.18