

Privacy Notice for parents accessing Early Years and Childcare provision

General Data Protection Regulation (GDPR) 2018



The **Local Authority (LA)** processes information on children in order to help administer education and family services and in doing so must comply with GDPR 2018. This means, among other things, that the data held about children, must only be used for specific purposes allowed by law.

The **Early Years and Childcare Setting** holds information on children and their families in order to support their development; monitor their progress; apply for funding; provide appropriate pastoral care and self-evaluate their provision for the purposes of **Ofsted** inspections.

From time to time Early Years and Childcare Settings are required to pass on some of this data to LAs, the **Department for Education (DfE)** and to agencies that are prescribed by law and Ofsted. In particular, at age five an assessment (known as Early Years Foundation Stage Profile) is made of all children and this information is passed to the LA and receiving schools to help meet the child's needs. Any such organisation will have their own Privacy Notice.

The LA and **Commissioned Partners** (for example NHS Healthy Child Programme) use information about children and families for whom they provide services where there is a legal reason to do so. This may also be used for the wider purpose of planning/accessing services for children and families.

For example, the LA and Commissioned Partners use your information to:

- claim Free Entitlement (FE) for 2, 3 and 4 year olds
- identify children's needs through Integrated Health Checks
- identify children and family's needs through Children's Learning and Well-Being Audits
- safeguard children
- provide inclusion support
- inform SEND Under 5s support planning
- support effective transitions
- ensure public funds are administered and spent in line with any Statutory Guidance or Code of Practice

They also use the information to produce statistics which inform various decisions but without identifying individual children.

Types of personal data held may include:

- child's unique pupil number
- contact details
- parent/carer details
- National Insurance/National Asylum Seeker Service number
- date of birth
- attendance information
- ethnicity
- personal characteristics relating to family health and environment
- special educational needs/disabilities including developmental progress

Personal data will not be retained by the LA or Commissioned Partners for longer than necessary. For example:

- financial purposes, up to seven years
- children/young people with SEND until they are aged 25

You have the right to:

- be informed of data processing (which is covered by this Privacy Notice)
- access information (also known as a Subject Access Request)
- have inaccuracies corrected
- request to have your information erased
- request restricted processing
- data portability (for example, allowing you to move, copy or transfer personal data from one IT environment to another in a safe and secure way)
- intervention in respect of automated decision making (for example, claiming 2 year old FE funding)
- withdraw consent (where personal data is purely processed on the basis of consent)
- complain to the Information Commissioner's Office (see below)

Ofsted do not routinely process any information about individual children. Ofsted holds no records of individual children's progress. However, it does use information about the achievement of groups of children to help inform its judgements about the quality of education in Early Years Providers.

The DfE uses information about children and pupils for research and statistical purposes; to allocate funds; to inform, influence and improve education policy and to monitor the performance of the education and children's services as a whole.

Who to write to about the data held

Children, as data subjects, have certain rights under the GDPR 2018, including a general right of access to personal data held on them, with parents exercising this right on their behalf if they are too young to do so themselves. If you wish to access the personal data held about your child/family, by WSCC, please contact:

- dataprotection@westsussex.gov.uk
- Data Protection Officer, West Sussex County Council, County Hall, West Street, Chichester, West Sussex, PO19 1RQ.

If you are unhappy with the way your request has been handled by WSCC, you may wish to ask for a review of our decision by contacting our Data Protection Officer as above.

Complaints to Information Commissioner's Office (ICO)

If you are not content with the outcome of the WSCC review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted internal review procedures.

- The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
- <https://ico.org.uk/concerns/>
- 0303 123 1113