GDPR Privacy notice for Employees, Children attending The Meadows nursery and their Parents/guardians.

WHAT IS THE PURPOSE OF THIS DOCUMENT?

The Cheeky Chimps Childcare company is a Sole trader company with its registered office address at The Meadows Cheeky Chimps Childcare, Kingsdown sports centre, Hyde road, Swindon, SN2 7SH/SN3 4RH, ("the Nursery" or "we") 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 employees of the Nursery ("Employees"), children attending the Nursery ("Child" or "Children") and the Parents/Guardians of the Children ("Parents/ guardians") (known collectively as "You" or "Your"), in accordance with the General Data Protection Regulation (GDPR)

The Nursery 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 Employees, Children and Parents/guardians. 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 by either letter, email or by posting on our social media/websites. It is important that Employees, Children and Parents/guardians 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:

- Used lawfully, fairly and in a transparent way
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told You about and limited only to those purposes
- Accurate and kept up to date
- Kept only as long as necessary for the purposes we have told You about
- 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 or sexual orientation.

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

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.
- Marital status and dependents.
- Next of kin and emergency contact information.
- National Insurance number.
- Bank account details, payroll records and tax status information.
- Salary, annual leave, pension and benefits information.
- Start date and, if different, the date of an Employee’s continuous employment.
- Location of employment or workplace.
- DBS number or certificate
- Copy of driving license / passport (where applicable).
- Recruitment information (including copies of right to work documentation, references and other information included in a CV, application form or cover letter or as part of the application process).
- Employment records (including job titles, work history, working hours, holidays, training records and professional memberships).
- Personnel file information and records including performance information, disciplinary and grievance information, and working time records.
- Information about your use of our information and communications systems.
- Records of any reportable death, injury, disease or dangerous occurrence.

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

- Information about an Employee’s race or ethnicity.

• Information about an Employee's health, including any medical condition, accident, health and sickness records, including:

• Where an employee leaves employment and under any share plan operated by a group company the reason for leaving is determined to be ill-health, injury or disability, the records relating to that decision;

• details of any absences (other than holidays) from work including time on statutory parental leave and sick leave; where an Employee leaves employment and the reason for leaving is related to their health, information about that condition needed for pensions and permanent health insurance purposes.

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 for general display purposes
- Emergency contact should Parents/Guardians/guardians be unavailable and the emergency contact's contact details

• The learning journal 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, risk assessments, early help records, behaviour plans.

• Accidents, incidents, injury on arrival and support 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, religion 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 and general safeguarding information.

Parents/Guardians:

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

- Name

- Home address

- Telephone numbers, and personal email addresses.

- National Insurance number. 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/Guardians where Employees of the Nursery deem it relevant to the prevention of radicalization or other aspects of the governments Prevent strategy.
  - Place or work and occupation.

HOW IS YOUR PERSONAL INFORMATION COLLECTED?

Employees: We collect personal information about Employees through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies. We will collect additional personal information in the course of job-related activities throughout the period of when an Employee works for us.

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

HOW WE WILL 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:

- Where we need to perform the contract, we have agreed with You.

- Where we need to comply with a legal obligation. E.g. with our governing body, Ofsted, or for safeguarding reasons

- To process the funding applications on your behalf

- Where we have permission to do so from Parent/guardian

- 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:

- In cases where medical assistance is required in cases of emergency

- In cases where you may be in danger or a danger to others

- As part of an investigate from a complaint of incident

Situations in which we will use Employee personal information We need all the categories of information in the list above

(see Employee section within the Paragraph entitled 'The Kind of Information We Hold About You') primarily to allow us to perform our contracts with Employees and to enable us to comply with legal obligations. The situations in which we will process Employee personal information are listed below.

- Making a decision about an Employee's recruitment or appointment.

- Checking an Employee is legally entitled to work in the UK. Paying an Employee and, if an Employee is an Employee or deemed Employee for tax purposes, deducting tax and National Insurance contributions (NICs).

- Providing any Employee benefits to Employees.

- Enrolling you in a pension arrangement in accordance with our statutory automatic enrolment duties.

- Liaising with the trustees or managers of a pension arrangement operated by a group company, your pension provider and any other provider of employee benefits.

- Administering the contract, we have entered into with an Employee.

- Conducting performance and/or salary reviews, managing performance and determining performance requirements.

- Assessing qualifications for a job or task, including decisions about promotions.

- Gathering evidence for possible grievance or disciplinary hearings.

- Making decisions about an Employee's continued employment, engagement.

- Making arrangements for the termination of our working relationship.

- Education, training and development requirements.

- Dealing with legal disputes involving Employees, including accidents at work.

- Ascertaining an employee's fitness to work.

- Managing sickness absence.
- Complying with health and safety obligations.
- To prevent fraud.

<u>To monitor your use of our information and communication systems to ensure compliance with our IT policies.</u>

- To ensure network and information security, including preventing unauthorized access to our computer and electronic communications systems and preventing malicious software distribution.
- Some of the above grounds for processing will overlap and there may be several grounds which justify our use of an Employee's personal information.

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/Guardians, 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/Guardians 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/Guardians for funding purposes.
    - Local authorities for auditing purposes.
- Ofsted will be allowed access to the Nursery's systems to review child protection records.
- 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/Guardian for that Parent to pass the same Progress Report to a school for application or enrolment purposes, or the nursery pass that information directly to the school with parental consent.

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

- The personal information of Parents/Guardians will be shared with local authorities without the consent of Parents/Guardians for safeguarding purposes

- The personal information of Parents/Guardians will be shared with local authorities with the consent of Parents/Guardians 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 Employees and Parents/Guardians fail to provide personal information If Employees and Parents/Guardians fail to provide certain information when requested, we may not be able to perform the respective contracts we have entered with Employees and Parents/Guardians, or we may be prevented from complying with our respective legal obligations to Employees, Children and Parents/Guardians.

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 Employee, Child or Parent/Guardian, as is appropriate in the circumstances, and we will explain the legal basis which allows us to do so. Please note that we may process an Employee's, a Child's or a Parent's/Guardian'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:

- In limited circumstances, with Employee or Parent explicit written consent.

- Where we need to carry out our legal obligations or exercise rights in connection with Employee employment

- Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme. 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 an Employee, a Child or a Parents/Guardians' interests (or someone else's interests) and the Employee, Child or Parent as is appropriate is not capable of giving consent, or where the Employee or Parent has already made the information public.

The Nursery's obligations as an employer We will use particularly sensitive personal information of Employees in the following ways:

- We will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws.

- We will use information about the physical or mental health of an Employee, or their disability status, to ensure Employee health and safety in the workplace and to assess the fitness of Employees to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits including statutory maternity pay, statutory sick pay, pensions and permanent health insurance.

- We will use information about an employee's race or national or ethnic origin, religious, philosophical or moral beliefs, gender re-assignment or an Employee's sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

Do we need Employee consent?

We do not need the consent of Employees if we use special categories of personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach Employees for their written consent to allow us to process certain particularly sensitive data. If we do so, we will provide Employees with full details of the information that we would like and the reason we need it, so that Employees can carefully consider whether they wish to consent. Employees should be aware that it is not a condition of their contract with the nursery that they agree to any request for consent from us.

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 an Employee or 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 Service ("DBS") checks. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such

information directly by you during you working for us. We will use information about criminal convictions and offences in the following ways:

• To conduct a DBS check on each Employee, to record the date of the DBS check, the number of the DBS check and the name of the body conducting the DBS check.

- For employees who receive criminal convictions this information will be passed onto the referral to the Disclosure and Barring Service (DBS) to keep others safe.

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.

AUTOMATED DECISION-MAKING

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. The Meadows Cheeky Chimps Childcare do not use Automated decision-making processes.

DATA SHARING

We may have to share Employee, 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.

All information shared via email will be password protected, the management team will then follow up via the telephone with the receiver to pass on the password.

Why might the Nursery share Employee, 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 /Other settings– 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. 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.

What about other third parties?

We may share Your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. In this situation we will, so far as possible, share anonymised data with the other parties before the transaction completes. Once the transaction is completed, we will share Your personal data with the other parties if and to the extent required under the terms of the transaction. We may also need to share Your personal information with a regulator or to otherwise comply with the law.

DATA RETENTION

How long will you use my information for?

We will only retain Your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Retention of documents will be made in accordance with the Legislation and as per the regulations of OFSTED.

Current legislation indicates Business records need to be retained for 7 years, accident reports until the child is 21 years and 3 months, safeguarding records and causes for concern until the child is 25 years old. Some information may be kept longer due to scheduled routines for processing this data.

RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

Your duty to inform us of changes It is important that the personal information we hold about You is accurate and current. Please keep us informed if your personal information changes during your working relationship with us. Your rights in connection with personal information Under certain circumstances, by law You have the right to:

- Request access to Your personal information (commonly known as a “data subject access request”). This enables You to receive a copy of the personal information we hold about You and to check that we are lawfully processing it.

• Request correction of the personal information that we hold about You. This enables You to have any incomplete or inaccurate information we hold about You corrected.

• Request erasure of your personal information. This enables Employees or Parents/Guardians to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove Your personal information where You have exercised Your right to object to processing (see below).

• Object to processing of Your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about Your situation which makes You want to object to processing on this ground. You also have the right to object where we are processing Your personal information for direct marketing purposes.

• Request the restriction of processing of Your personal information. This enables Employees or Parents/Guardians, as is appropriate, to ask us to suspend the processing of personal information about You for example if You want us to establish its accuracy or the reason for processing it.

• Request the transfer of Your personal information to another party. If You want to review, verify, correct or request erasure of Your personal information, object to the processing of Your personal data, or request that we transfer a copy of Your personal information to another party, please contact the manager in writing.

Note: The Nursery has a legal obligation to store certain information and may not be able to comply with requests for erasure, restriction or transfer of some data. No fee usually required You will not have to pay a fee to access Your personal information (or to exercise any of the other rights) However the Nursery has the right to charge a reasonable administrative cost should the request be excessive or repetitive. 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 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 [Gem Farrar (The Manager]. Once we have received notification that You have withdrawn Your consent, we will no longer process Your information for the purpose or purposes 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.

RIGHT TO COMPLAIN

We work to high standards when it comes to processing your personal information. If you have queries or concerns, please contact us at the nursery. If you remain dissatisfied, you can make a complaint about the way we process your personal information ICO, the nursery Ico number is ZA099274 . Please follow this link to make a complaint direct to ICO https://ico.org.uk/make-a-complaint/.

Gemma Farrar 13.9.2026

Review 13.9.2027

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