As a childminder I am the 'data controller' for the purposes of the Data Protection Act 2018 and the General Data Protection Regulation (GDPR) 2018. The purpose of this Privacy Notice is to tell you about what information I collect about you and your child when you use my childminding service, how I use that information and with whom I may share that information. I must provide the Privacy Notice to you when I start to collect information about your child.

Name and contact details of the Data Controller

Date of writing the Privacy Notice

1. What information will I collect about you and your child?

For you (and for a second parent/carer if you provide these details):	**For your child/ren:**
• Name • Relationship to child • Who has parental responsibility • Each parent's address and contact details including email and phone numbers • Contact details at work • The contact details of someone you trust whom I would contact, if for some reason you were not contactable • National Insurance number * • National Asylum Seeker's Support reference* • D of B*	• Full legal surname (derived from family, clan or marital association) of the child* • Full given first name of the child* • Name child is generally known by • Date of birth * • Gender * • Your child's current address and postal code* • With whom the child lives with • The child's siblings and significant people in your child's life • The name of your child's GP surgery • Whether registered with a dentist and up to date with vaccinations • Ethnicity * • Religion • Language/s spoken at home. • Whether your child has any Special Educational Needs or Disability and if so, details.* • Number of hours attended that are funded by the local authority, universal and extended * • Child's 30hour code* • Number of private hours attended that are not paid through the local authority* • Your child's eligibility for Early Years Pupil Premium and the basis for the funding* • Your child's eligibility for Eligible 2-Year-Old funding and the basis for the funding* • Whether social care are involved with your family and if so, whether your child is subject to a child protection plan, in care or a child in need and the name of our social worker *If you are registered provider of the Free Early Education Entitlement, Bristol City Council return this data to the Department of Education via the Early Years Census and Pioneer. The data for the funding is processed on the lawful basis of 'contractual necessity' GDPR 6(1)(b).

2. **What is my lawful basis is for processing your child's data and for what purpose?**
   Registered childminders have a statutory requirement to hold certain basic information about any minded child and the name, address and contact details of every parent (Safeguarding and Welfare Requirements, EYFS 2017, 3.72 and Childcare Register CR8). The Safeguarding and Welfare Requirement to hold certain data is given force by an order made under section 39(1)(a) of the Childcare Act 2006, therefore the lawful basis for processing information is **'legal obligation' GDPR 6(1)(c)** and for special categories of data (such as medical information, special needs) under GDPR 9(2) (a)(b). For safeguarding the special category of data comes from the Data Protection Act 2018.

   There is also a **'legal obligation'** to record your child's learning and development (EYFS Learning and Development Requirements given force by section 39(1)(a) of the Childcare Act 2006). The purpose of observing, assessing and planning is to ensure good outcomes for a child based on the child's own interests, needs and stage of development.

   I must maintain some records such as the Attendance Register and the Accident and Incident Record as a Requirement of my registration and to support my public liability insurance on the basis of **'legal obligation' GDPR 6(1)(c).**

   I also hold information on the basis of **'legitimate interest' GDPR 6(1)(f)** in order to ensure your child's safety and well-being and to provide a good quality service based on your child's individual needs.

   Information on our business contract is held on the basis of **'contractual necessity' GDPR 6(1)(b)**

   Photographs are an effective way to illustrate and augment learning. Photographs will be taken with your **consent GDPR 6(1)(9a)** and for the purpose of informing you of your child's progress in learning.

   I hold emergency contact details on the basis of **'vital interests' GDPR 6(1)(d)**

3. **For how long will I hold your information: retention periods?**
   The EYFS (3.71) says that as a provider I should determine myself how long to retain records relating to individual children.
   - For the purposes of insurance claims I will retain; the Accident and Incident Log, the Medication Administration Records, the Attendance Register, signed Consent Forms, the Complaints Log and any record of allegations, until your child has reached 21years and 3 months.
   - Any record of safeguarding concerns will be forwarded to the next setting/school in line with 'Keeping Children Safe in Education'. I would get a receipt from the receiving setting to show that a safeguarding record had been forwarded. If a safeguarding referral to First Response has led or is likely to lead to criminal prosecution, requiring my records as evidence, I would take advice on retaining the record or retaining a copy of the record of my safeguarding concerns (see Goddard Inquiry).
   - Any learning records and photographs of a 'looked after' child will be passed on to the child's Social Worker, who usually holds parental responsibility for retention.
   - Where I have shared your data with other Bristol City Council services, for example with regard to the Free Early Education Entitlement or Enhanced Provision Scheme, the general Bristol City Council retention schedule will apply and is available on the Bristol City Council website.
   - HMRC financial records will be retained for six years.
   - Your child's learning journal/ record will be passed to you within…… *Insert here a reasonable amount of time to allow you to organise this)* when your child moves on from my childminding setting. After I have passed your child's learning record to you, I will delete any copies, including electronic copies *insert a reasonable amount of time to erase learning records. You will need to be able to delete a child's learning record from an app.*

4. **How do I use/process information about your child, including photographs?**
   The information you have provided will be stored in paper form /electronically *indicate which or both* in a file which is kept securely and in one place. *Add some details here about whether you use paper records or store data electronically on a laptop, computer or memory stick. Describe how you safely store the Record of Information about a Child, your contracts, consent forms and medical forms etc. If you keep records on a computer or a memory stick, are they password protected so that only you are the only one who can access work records in your household?*
   How and where do you store physical paperwork? Where do you keep phone numbers and email addresses and do you take them out of the house?

I liaise with you by email/text/ using physical communication record. *If you send information to parents by email it is good practice to have a separate work email address. What mobile service provider do you use to send texts -do you use WhatsApp to communicate, for instance? Is a physical communication record kept in the child's bag, for instance? If you use a closed group on social media to communicate with parents, do you use privacy settings?*

I record your child's progress through observations and assessment *Do you keep a learning journal in paper form or as an app? Describe how and where you store information about learning and assessment, and how you share the information safely with a parent. If you use an app, what app do you use? The app company is processing on your behalf. Check if the app company stores data outside of the UK. You can still use an app that is based outside EU law but there still should be safeguards and you should have the parent's consent. You will need to be able to delete a child's data should this be requested, or deleted after the retention period for holding that child's data.*

I take photographs using a digital camera/ mobile phone *Describe how exactly you store and share photos with parents maintaining security and confidentiality. Is your phone PIN protected? It is good practice to keep work photos separate to personal photos – you could use a digital camera or a separate work mobile. Do you use an app to share photos with parents?*

If you have a website, is anonymous information is collected about user activity. You can say "I do not process or use this information".

I may ask for your written consent to keep some photographs for use in my own work, such as to evidence my own professional development or to promote my business.

5. **Who I may disclose your child's information to and why: the recipients of the personal data.**
I will only share the information which you have provided about your child and the child's learning progress with you, the parent/carer, and with Ofsted, on the request of an Ofsted inspector, as the regulator and inspector of registered childminders.

In exceptional circumstances, in order to safeguard a child, it may be more important to share information than to respect privacy. I may be required to disclose information in relation to safeguarding with the Local Authority Designated Officer, Children's Social Services/First Response, the police or legal services.

Information about your child's progress will only be shared with another professional such as a Health Visitor (such as in the 'two year progress check'), SENCO, Speech and Language Therapist, Inclusion Specialist, Family Support or Early Help support worker after discussion with you and with your explicit, written consent. Liaison with another professional would be to support your child's learning and development and well-being.

N.B. When I attend a childminding group at a Children's Centre, from time to time I may discuss a child's learning with a Lead Teacher or the Early Years Practitioner who runs the group. This is in order to support my early years practice and to give the best possible learning experience for your child. Likewise, to support my professional development, I will have an annual, quality improvement visit from a Childminding Support Worker and we may discuss planning specifically for a child. These are discussions around children's learning and development and not about confidential family circumstances. They are discussions or conversations, rather than sharing of written/electronic data.

6. **The right to withdraw consent at any time, where relevant:**
You have the right to withdraw your consent where the information I hold is based on your consent, such as in the use of photographs. As I am legally required to hold some essential information on a child in order to childmind, if you withdrew consent to my holding all information about your child, the childminding contract would have to be terminated.

7. **Your rights as the data subject:**
You have the right to request access to your data and where data is found to be inaccurate, to have that data corrected. In certain circumstances you have the right to; have the data held about you or your child erased, have the use of it restricted, object to processing, or have your data transferred to another data controller.

If you change any contact details, such as your mobile phone or your work phone number, please let me know. Likewise, please inform me if an emergency contact should change their contact details.

8. **Access to your information:**
I will keep you updated and informed of your child's progress and share observation and assessments with you in keeping with the expectation of parent partnership which is described in the EYFS. You can ask to see what information I hold about you and have access to it. There are specific exemptions under which personal information may be withheld, for example if disclosure could cause harm to a child or another individual. You can make a 'subject access request' by contacting me in writing.

9. **The right to lodge a complaint with a supervisory authority:**

You have the right to object to the processing of your information and to have any inaccurate information corrected. You also have a right of complaint to the Information Commissioner's Office (ICO) at www.ico.org.uk if you think I have dealt with your information in an inappropriate manner.