



## **Privacy Notice and Data Protection Policy**

Bear Hugs Nursery, as the data controller of your information is required to collect and process data for several purposes concerning its staff, contractors, parents, children, website users and any other individual who comes into contact with the company. Bear Hugs Nursery is committed to processing personal data in a lawful, fair and transparent manner. All personal information shall be held and used in accordance with The General Data Protection Regulation (GDPR) (2018), which replaces the Data Protection Act 1998. Our Data Protection Officer (DPO) is **Fiona Fox**.

The privacy notices below are intended to inform you how we gather, define, and utilise your personal information such as name, address, bank details, email address and mobile phone number.

If Bear Hugs Nursery becomes aware of any data breach that is likely to result in a risk to the rights and freedoms of individuals, they will report the breach to the ICO without undue delay and where feasible, no later than 72 hours after becoming aware of breach. Personal data breaches include:

- Access by an unauthorised party
- Deliberate or accidental action (or inaction) by a controller or processor
- Sending personal data to an incorrect recipient
- Computing devices being lost or stolen
- Alteration of personal data without permission
- Loss of availability of personal data

The first point to consider is to stop any further breaches and if possible recover the information. An initial investigation will take place to establish exactly what happened, the date(s), how the breach occurred, how many data subjects were affected and what the nature of the data is.

In the event of having to report a breach to the ICO the report should include:

- The nature of the personal data breach including the number of individuals concerned and the number of personal data records breached
- The point of contact (or DPO), where information can be obtained
- Description of the likely consequences
- Description of the measures taken, or proposed to be taken, to deal with the personal data breach.

If it is not appropriate to report it to the ICO, a record will be kept of the breach.



## **Privacy Notice for Parent / Guardian of Children using the Setting**

Bear Hugs Nursery is the data controller for any personal information you provide to the nursery regarding you or your child. This means Bear Hugs Nursery decides how your personal data is processed and for what purpose.

Bear Hugs Nursery is required to collect and process data for a number of purposes concerning its staff, contractors, parents, children and any other individual who comes into contact with the company. Bear Hugs Nursery is committed to processing personal data in a lawful, fair and transparent manner. All personal information shall be held and used in accordance with The General Data Protection Regulation (GDPR) (2018). Our Data Protection Officer (DPO) is **Fiona Fox**.

### **What personal data we collect about parent / guardian and your child**

Bear Hugs Nursery's contractual responsibilities include but are not limited to the collection of the following personal data:

- Personal details (name, date of birth, gender)
- Attendance information (start date, hours in nursery)
- Medical and health information
- Personal characteristics
- Dietary requirements and preferences (likes, dislikes, allergies, intolerances and culturally prohibited foods)
- Special Educational Needs information
- Development records

The information we hold about a parent / guardian may include:

- Personal details (name, date of birth, national insurance number)
- Contact details (address, phone number, email address)
- Bank details (name of bank, account number and sort code)

We do hold some special category data about you and your child regarding race, ethnic origin, religion and health information. The nursery uses this information to promote and celebrate the different cultures of the children attending the setting. In addition, the special category data is collected as required by the Local Authority or other public bodies for legal and contractual purposes. We comply fully with the requirements of GDPR in relation to special category data and are aware of the sensitive nature of the information.

It is the duty of the parent / guardian to let Bear Hugs Nursery know of any personal data that has changed or is incorrect.

### **How we process children's personal data**

Bear Hugs Nursery complies with its obligations under the GDPR by keeping personal data up to date, storing and destroying it securely, not collecting or retaining excessive amounts of data, protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data. All the data we process, we do so to fulfil the contract we have with you.

Bear Hugs Nursery hold and processes your data to be able to:

- Provide the appropriate care for your child
- Support your child's learning
- Monitor and report on your child's progress
- Ensure the right first aid and medication is provided to your child in cases where they become ill or have an accident in our care

There is certain data we hold about you as a parent or guardian to be able to successfully carry out the contract. The information we hold about you includes your name and address, contact details, bank details and signatures. We hold this personal data and use it to:

- Be able to contact you in case there is an emergency regarding your child
- Be able to take payment for the childcare we are providing your child
- To provide proof of consent of your agreement to our contract terms and conditions

Whilst much of the data you provide to us is mandatory to carry out the contract you hold with us, some of it is provided on a voluntary basis. To comply with the GDPR we will inform you at the time of collection whether the information you are asked to provide is mandatory. Where personal data is not required for legal or contractual reasons, we will give you the opportunity to provide your consent for us to use your data for that purpose.

### **The lawful basis to processing this data**

Bear Hugs Nursery collects and process all the information you provide to us as a parent or guardian under the contractual lawful process. It is necessary to process this data to be able carry out the requirements of the contract. Without this data we will not be able to fulfil your contract and thus not be able to keep your child in our care.

The health and medical data you provide to us regarding your child is legally required and is vital to keep your child safe whilst in our care.

Data regarding your child's ethnicity, race and religion is only processed under the requirements of Local Authorities and public bodies and upholding Bear Hugs Nursery equal opportunity policy and ensuring we are meeting the Equality Act 2010.

Some data will only be processed if explicit consent is given. This can include the ability to take photographs of your child and using your details for direct marketing.

Where this is the case we will ask for your consent at the time we collect your data, ensuring it is freely given, specific and unambiguous.

### **Who collects this data**

Bear Hugs Nursery collects most of its data directly from the individual themselves. The information we collect about you and your child will all be obtained from the application pack you fill out when you first enrol your child. Additional data is collected as required.

### **Storage of data**

All your data is either kept in our software systems or in paper format. Data relating to you and your child will be kept in the nursery your child attends as well as at our supporting office location. Personal data held within a software system will be securely protected with individual logins, which will only be given to those who need to access the data.

All data stored in paper format will be kept in a safe location where only those with authorisation can access it. This may include being locked away in a filing cabinet.

### **Who and why we share this data**

We are legally obliged to pass some of your details on to third parties for legal reasons such as public bodies. This includes Local Authorities, Ofsted, NHS, Police and enforcing agencies. We will not give information about you or your child to anyone outside of the company without your explicit consent unless the law or our terms and conditions allow us to.

We may share your child's progress data with schools as they transfer from nursery.

Also, we may share data with organisations for trend analysis. The processing of this kind of data we are not legally required to do and therefore we will ask you for your explicit consent for us to share your data for this purpose.

### **Data retention periods**

Bear Hugs Nursery is committed to ensuring we do not hold personal data for any longer than necessary. Data which we hold under contract is subject to specified retention periods. These are as follows:

- Parent and child personal data – Until the child is 26 years old
- Safeguarding information – Until the child is 26 years old
- Medical and health data – Will not be destroyed
- Accident data – Will not be destroyed
- Child learning progress – Given to the parent when the child leaves the nursery, if not collected by the parent or guardian this will be destroyed a term after the child has left the nursery

Once the data has been used for its original purpose and the retention period has expired, we will appropriately dispose of the data.

**Further processing**

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice and Data Protection Policy, we will provide you with a new notice explaining this new purpose. As necessary we will seek your consent to the new processing.

**Parent / guardian's data subject rights**

Under GDPR you have the right to request access to any of the data held by Bear Hugs Nursery about you and your child. If you wish to make a subject access request please contact the Data Protection Officer (DPO). Your request will be completed free of charge, unless the request is manifestly unfounded or excessive, in which case a reasonable fee will be charged, and within 1 month of receipt of the request, unless the request is complex or numerous.

If you feel Bear Hugs Nursery has not handled your or your child's personal data adequately or you are unhappy with how your data request has been dealt with contact: Data Protection Officer (DPO), Bear Hugs Nursery, Addlestone Methodist Church Hall, 71 Station Road, Addlestone, Surrey, KT15 2AR. If you are still unsatisfied with how your data has been processed, used or stored you have the right to lodge a complaint with the Information Commissioner's Office (ICO)



## **Privacy Notice for Employees**

Bear Hugs Nursery is the data controller for any personal information you provide to us regarding yourself as an employee of Bear Hugs Nursery. This means we decide how your personal data is processed and for what purpose.

Bear Hugs Nursery is required to collect and process data for a number of purposes concerning its staff, contractors, parents, children and any other individual who comes into contact with the company. Bear Hugs Nursery is committed to processing personal data in a lawful, fair and transparent manner. All personal information shall be held and used in accordance with The General Data Protection Regulation (GDPR) (2018). Our Data Protection Officer (DPO) is **Fiona Fox**.

### **Recruitment**

If you are successful and are offered a position to work for Bear Hugs Nursery we will hold your data under contract. If you are unsuccessful we will dispose of any personal data you have supplied us immediately unless you have given explicit consent for us to keep this information.

### **What personal data we collect about an employee**

Bear Hugs Nursery's contractual responsibilities include but are not limited to the collection of the following personal data:

- Personal information (name, date of birth, national insurance number)
- Contact information (phone number, email address)
- Work absence information (number of absences and reasons)
- Qualification and educational history
- Bank details (name of bank, account number and sort code)
- Medical and health information
- Contract information (start date, hours worked, salary information)

We do hold some special category data about you regarding your race, ethnic origin, religion and health information. The special category data we hold we only process if it is essential for the purpose of a contract or required for legal reasons and is adequately protected because of the sensitive nature of the information. We only use this information for equal opportunity research and feedback.

It is the duty of the data subject to let us know of any personal data that has changed so we can update our records and ensure the data we hold on you is accurate.

### **How we process employee's personal data**

Bear Hugs Nursery complies with its obligations under the GDPR by keeping personal data up to date; storing and destroying it securely; not collecting or retaining excessive amounts of data; protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data. All the data we process from employees, we do so to fulfil the contract.

Bear Hugs Nursery hold and processes employee's data to be able to:

- Enable individuals to get paid
- Contact employees when necessary
- Ensure the employee's qualifications meet the requirements of their job title

### **The lawful basis to processing this data**

Bear Hugs Nursery collects and process all the information you provide to us about yourself as an employee under the contractual lawful process. It is necessary to process this data to be able carry out the requirements of the contract. Without this data we will not be able to fulfil the contract and thus not be able to employ you as a member of staff here at Bear Hugs Nursery.

The health and medical data you provide to us is legally required and is vital to keep you safe whilst you are employed with us. It is also under your contract that you supply sick notes to us as evidence of proof of illness and ensure you are paid for these days.

Data regarding your ethnicity, race and religion is only processed for monitoring and upholding Bear Hugs Nursery Equal Opportunity Policy and ensuring we are meeting the Equality Act 2010.

### **Consent**

Bear Hugs Nursery is committed to ensuring where consent is required, it is freely given, specific and unambiguous. Where consent is required for additional processing, data subjects are given the opportunity to freely give their consent to us processing that data for the specified purpose. Additional consent forms will be distributed to gather additional permission.

### **Who collects this data**

Bear Hugs Nursery collects most of its data directly from the individual themselves. The information we collect about you will be obtained from the CV and application form you provide during the recruitment process or induction forms you fill out when you first become employed with Bear Hugs Nursery. Additional data is collected as part of the Annual Declaration and on an ad-hoc basis as required.

### **Storage of data**

All your data is either kept in our software systems or in paper format. Employee's data may be held at the nursery or at our supporting office location. Personal data held within software systems will be securely protected with individual logins, which will only be given to those who need to access the data.

All data stored in paper format will be kept in a safe environment where only those who need it can access it. This may include being locked away in a filing cabinet.

#### **Who and why we share this data**

We are legally obliged to pass some of your details on to third parties such as public bodies or civil services. These may include, the police, the courts, HMRC and pension providers. We limit the sharing of data to third parties as far as practicable and only share data where it is necessary for legal reasons or for the processing of the contract.

#### **Data retention periods**

Bear Hugs Nursery is committed to ensuring we do not hold personal data for longer than necessary. We are required by law to hold some of the personal data you provide us for certain periods of time. Medical, health and accident data will not be destroyed and both financial and personal data we will hold for 6 years after you have left the company, after this period your data will be appropriately disposed of.

#### **Further processing**

If we wish to use your personal data for a new purpose, not covered by this Data Protection Notice, we will provide you with a new notice explaining this new purpose. As necessary, we will seek your consent to the new processing.

#### **Employee's data subject rights**

Under GDPR you as an employee have the right to request access to any of the data held by Bear Hugs Nursery. If you wish to make a subject access request, please contact the Data Protection Officer (DPO). The DPO is **Fiona Fox**

If you feel Bear Hugs Nursery has not handled your personal data adequately or you are unhappy with how your data request has been dealt with contact the Data Protection Officer (DPO), Bear Hugs Nursery, Addlestone Methodist Church Hall, 71 Station Road, Addlestone, Surrey, KT15 2AR. If you are still unsatisfied with how your data has been processed, used or stored you have the right to lodge a complaint with the Information Commissioner's Office (ICO)



## **Privacy Notice for Website and Facebook Users**

Bear Hugs Nursery is the data controller for any personal information you provide to us as a website and facebook user. This means we decide how your personal data is processed and for what purpose.

We maintain the highest standards of security, however the transmission of information via the internet is not completely secure. So, whilst we will do our best to protect your information, we cannot ensure the security of your data transmitted to our website and facebook page.

Any information you submit is sent at your own risk. Once we have received your information we will use strict procedures and security features to minimise the risk of unauthorised access.

Similar to other commercial websites, our website uses a technology called "cookies" (see Terminology) and web server logs to collect information about how you and other browsers use our website.

Information gathered through cookies and web server logs may include the date and time of visits, the pages viewed, time spent at our website, and the websites visited just before and just after our website.

### **Your Consent**

By using our website and facebook, you consent to our collection and use of your information as described in this Privacy Notice and Data Protection Policy. If we change our privacy policies and procedures, we will post those changes on our website to keep you aware of what information we collect, how we use it and under what circumstances we may disclose it.

### **How we use the information website user's provide to us**

Bear Hugs Nursery uses your information in the following ways

- To ensure that content from our website and facebook is presented in the most effective and efficient manner for you and your device
- To allow you to request information
- To notify you about changes to our service
- If you have given your consent to contact you with information about services that you request from us, or that we feel may be of interest to you or to ask you to participate in one of our customer satisfaction surveys
- If we are under a duty to disclose or share your personal data to comply with any legal obligation or in order to enforce or apply our terms and conditions and other agreements or protect the rights, property, or safety of our customers, or others.

This includes exchanging information with other companies and organisations for fraud protection and credit risk reduction

### **How we protect website and facebook user's information**

Email and messaging is not recognised as a secure medium of communication. For this reason, we request that you do not send private, sensitive or confidential information to us by email or messaging, and should you do so it is at your own risk.

### **Storage of data**

The data you provide to us via the website and facebook we will hold in our software systems. Data relating to you and your child will be kept in the nursery your child attends as well as at our supporting office location. Personal data held within a software system will be securely protected with individual logins, which will only be given to those who need to access the data.

### **Website and facebook user's data subject rights**

You may request access to all your information that we collect online and maintain in our database by writing to us at the following address: Data Protection Officer, Bear Hugs Nursery, Addlestone Methodist Church Hall, 71 Station Road, Addlestone, Surrey, KT15 2AR. Your request will be completed free of charge, unless the request is manifestly unfounded or excessive, in which case a reasonable fee will be charged, and within 1 month of receipt of the request, unless the request is complex or numerous.

If you feel Bear Hugs Nursery has not handled your personal data adequately or you are unhappy with how your data request has been dealt with contact: Data Protection Officer (DPO), Bear Hugs Nursery, Addlestone Methodist Church Hall, 71 Station Road, Addlestone, Surrey, KT15 2AR. If you are still unsatisfied with how your data has been processed, used or stored you have the right to lodge a complaint with the Information Commissioner's Office (ICO)

## **Terminology**

### **Cookies**

A cookie is a very small text document, which often includes an anonymous unique identifier. When you visit a website, that site's web server/computer asks your computer for permission to store this file in a part of your hard drive specifically designated for cookies.

Each website can send its own cookie to your browser if your browser's preferences allow it, but (to protect your privacy) your browser only permits a website to access the cookies it has already sent to you, not the cookies sent to you by other sites, therefore private information supplied to one web site cannot be read by another organisation.