

'The Exwick Ark Ltd.' Privacy Notice

Our contact details

The Exwick Ark Ltd

C/o Exwick Old School, Exwick Road, Exeter, Ex4 2AT

admin@exwickark.co.uk

01392 425551

www.exwickark.co.uk

Our main point of contact for data protection matters is Harriet Sharp who can be contacted via the main office phone number or email harri@exwickark.co.uk.

At The Exwick Ark we take privacy very seriously and we are regularly updating all our records to ensure that we are fully meeting the data protection standards (General Data Protection Regulation (GDPR)).

We are registered with the Information Commissioner's Office (ICO).

What type of information we have

The categories of children's information that we collect, hold and share include:

- personal information (such as name, address, date of birth)
- characteristics (such as ethnicity, language, nationality, country of birth, early years pupil premium eligibility)
- attendance information (such as sessions attended, number of absences and absence reasons)
- observations and assessment information and tracking of progress
- medical information
- information on special educational needs and disabilities (including if accessing Disability Living Allowance and entitled the Disability Access Fund)
- referrals to other relevant services
- safeguarding information.

We also collect, hold and share some information on the children's parents/guardians:

- personal information (names, address, contact numbers and emails)
- National Insurance numbers.

If consent to use some or all of the data collected is withdrawn the Exwick Ark Ltd may terminate their contract with a parent if it is felt that it is no longer possible to fulfil its duties to comply with the Statutory Guidance of the Early Years Foundation Stage and Ofsted regulations. This would be discussed with parent(s) and The Exwick Ark Ltd would explain their reasoning.

The types of information we keep on staff include:

- personal information (such as name, address, date of birth, copies of ID provided for DBS applications, photograph)
- Qualifications and training, DBS records
- characteristics (such as ethnicity, language, nationality, country of birth, early years pupil premium eligibility)
- attendance information (such as hours worked, number of absences and absence reasons) medical information
- information on special educational needs and disabilities
- referrals to other relevant services
- safeguarding information.
- Financial data such as bank account details, NI number, pay records including PAYE data for HMRC
- Names and contact details of who to contact in an emergency

The types of information we keep for referees is their name and contact details. These are kept for the same amount of time as the staff records.

Staff records are kept for a period of 6 years after a member of staff leaves as recommended by the Chartered Institute of Personnel and Development. Application forms and interview notes for unsuccessful candidates are kept between 6 months and 1 year and then are shredded as recommended by the Chartered Institute of Personnel and Development.

How we get the information and why we have it

Most of the personal information we process is provided to us directly by you for one of the following reasons:

We use the children's and parents' data provided on the registration forms and from parent consultations to:

- support their learning and development, to enable staff to plan suitable activities to extend their knowledge and skills
- ensure that all children are safe within our childcare provision
- monitor and report on their progress
- provide appropriate behavioural and emotional support as required
- assess the quality of our services as a childcare provider
- comply with the law regarding data sharing (GDPR)
- meet the requirements of the early years foundation stage (EYFS)
- make claims for funding.

The lawful basis on which we use this information

We collect and use children's information under the following lawful bases:

- **Contract:** the processing is necessary for a contract we have with you the parents/guardian of the child to provide childcare and the contract that we have with the local authority to provide funded childcare to eligible families.
- **Legal obligation:** the processing is necessary for us to comply with the law (submitting data for the [early years census](#)).

Collecting children's information

While the majority of children's information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the GDPR, we will inform you whether you are required to provide certain children's information to us or if you have a choice in this.

Storing children's data

We are required to hold children's data for a reasonable period of time after children have left the provision (eg until after the next Ofsted inspection) as a requirement under the EYFS. The Limitation Act 1980 recommends that we retain data until the child reaches the age of 21 – or until the child reaches the age of 24 for child protection records.

Your data will be held securely and will only be accessible by staff who are authorised to do so.

Who we share children's information with

We routinely share children's information with:

- schools that the child attends after leaving our provision
- other local childcare providers where the child is engaging currently (wrap around or blended childcare)
- our local authority (for funding claims and the early years census)
- the DfE (annual early years census)
- special education needs co-ordinators
- NHS services (health visitors and speech and language therapists).

Why we share children's information

We do not share information about our children with anyone without your consent unless the law and our policies allow us to do so.

We share children's data with the DfE on a statutory basis. We are required to submit data to our local authority [Devon County Council] for them to submit as part of the annual early years census in January and to access childcare funding.

Data collection requirements

To be granted access to children's information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

Why we collect the staff data and how we use it

We use the staff data on a lawful basis to enable us to verify their ID and eligibility to work in the UK, to obtain an enhanced DBS check, to enable us to pay them correctly and to fulfil our duties to HMRC and other government bodies. Staff complete an application form and a registration form as part of their application and registration process and data is used from these forms. The Exwick Ark Ltd takes a photograph of a new member of staff to keep on record for ID verification purposes and later to use to identify the member of staff in the setting in which they work.

We also use some data on a contractual basis to plan their personal development plans and to make the business development plan each year.

Consent may be withdrawn for holding and using data about staff. If consent is withdrawn The Exwick Ark Ltd will review whether it is still able to carry out its legal duties to HMRC, Ofsted and other government bodies. If it is felt that these legal duties could no longer be carried out the member of staff will have this explained to them and if they still wish to withdraw consent their employment may have to be terminated.

How we store your information

Information is processed by the electronic systems The Exwick Ark Ltd uses to manage the settings. Your information for record keeping, registers and invoicing is securely stored by Turntide Software on servers in the UK. This includes using the data to create accurate invoices, applying for Early Years Entitlement funding, grants, creating accurate registers of attendance. Development records are processed in a separate system which is used to track children's development, plan next steps and to track trends in development for groups of children. During 2021 Exwick Ark Ltd is transferring to another provider called FAMILY for these services. Our contract with Turntide will end in Summer 2022 and data will no longer be held by them after this date. Until then data will continue to be held so that accounts can be checked and any essential data that needs to be kept can be stored elsewhere as per our data retention policy. Your email address is stored securely in The Exwick Ark Ltd Microsoft Office 365 account. The system used for applying for government funding is called the Devon provider Portal. This portal is managed by Devon County Council. Full details of data stored on each of these systems is available from Harri Sharp. The Staff Payroll is stored on Brightpay. The Bank account we use is The Co-operative Business Bank. We use Xero for our accounting package. The Exwick Ark Ltd has seen copies of the Privacy Notice and Data Protection Policies for these organisations.

Requesting access to your personal data

Under data protection legislation, parents and children have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's early years record, contact Harriet Sharp.

Your data protection rights

Under data protection law, you have rights including:

Your right of access - You have the right to ask us for copies of your personal information.

Your right to rectification - You have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure - You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing - You have the right to ask us to restrict the processing of your information in certain circumstances.

Your right to object to processing - You have the the right to object to the processing of your personal data in certain circumstances.

Your right to data portability - You have the right to ask that we transfer the information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us at harri@exwickark.co.uk if you wish to make a request.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the [ICO](#).

Contact

If you would like to discuss anything in this privacy notice, please contact:

Name of childcare provision:	The Exwick Ark
Name of Data Protection officer:	Harriet Sharp
Email:	harri@exwickark.co.uk
Telephone number:	01392 425551

How to complain

You can also complain to the ICO if you are unhappy with how we have used your data.

The ICO's address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline number: 0303 123 1113

