

Scotswood Village Nursery

St Margaret's Church
Heighley Steet
Newcastle upon Tyne
NE15 6AR
Telephone: 07389 183 000

Managers: Caroline Duncan & Jen Rodden
Email: scotswoodvillagenurseryncl@gmail.com
Website: <http://www.scotswoodvillagenursery.com>



Privacy and Data Protection Policy

Setting: Scotswood Village Nursery

Policy effective from: 1 September 2026

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Policy owner: Nursery Management

1. Our Commitment

At Scotswood Village Nursery, we respect the privacy of the children and families in our care and everyone who works with or visits our nursery.

To provide safe, high-quality childcare and early education, we need to collect and use personal information. Much of the information we hold relates to young children and may include sensitive information about their health, development, family circumstances or additional needs.

We recognise the trust families place in us when providing this information.

We are committed to ensuring that personal information is:

- collected and used lawfully, fairly and transparently;
- collected for clear and appropriate purposes;
- relevant and limited to what we need;
- accurate and kept up to date where necessary;
- retained only for as long as necessary or legally required;
- stored securely; and
- protected against unauthorised or unlawful access, loss, alteration or disclosure.

We give particular consideration to children's privacy because children require additional protection in relation to their personal information.

2. Legal Framework

This policy has regard to relevant legislation and guidance, including:

- UK General Data Protection Regulation (UK GDPR);

- Data Protection Act 2018;
- Data (Use and Access) Act 2025, where applicable;
- Children Act 1989 and Children Act 2004;
- Childcare Act 2006;
- Children and Families Act 2014;
- Early Years Foundation Stage (EYFS) Statutory Framework;
- Working Together to Safeguard Children; and
- current Information Commissioner's Office (ICO) guidance.

This policy should be read alongside our:

- Safeguarding and Child Protection Policy;
- SEND and Inclusion Policy;
- Admissions Policy;
- Complaints Policy;
- Staff policies and procedures; and
- other relevant nursery policies and privacy information.

3. Who Is Responsible for Personal Information?

Scotswood Village Nursery is responsible for deciding how and why personal information is collected and used for its nursery activities.

The Nursery Management Team is responsible for ensuring that appropriate data protection procedures are followed.

All members of staff have a responsibility to protect confidential and personal information and to follow this policy.

Staff must only access personal information where they have a legitimate reason to do so as part of their role.

4. What Information Do We Collect?

The information we collect will depend upon our relationship with the individual.

Information about children may include:

- name;

- date of birth;
- address;
- gender where relevant;
- parental responsibility and family information;
- emergency contact details;
- attendance and session information;
- funding eligibility and related information;
- health and medical information;
- allergies and dietary requirements;
- medication records;
- immunisation or health information where relevant;
- SEND information;
- Education, Health and Care Plan information where applicable;
- developmental observations and assessments;
- progress information;
- individual support plans;
- information from other professionals;
- safeguarding and child protection information;
- accident and incident records;
- behaviour or wellbeing information;
- photographs, videos and examples of children's learning where appropriate;
- information relating to funded early education; and
- other information necessary to provide safe and appropriate care.

Information about parents/carers may include:

- names;
- addresses;
- telephone numbers;
- email addresses;
- emergency contact information;

- parental responsibility information;
- family circumstances relevant to the child's care;
- funding information;
- financial and payment information where applicable;
- correspondence with the nursery;
- information required for safeguarding purposes; and
- other information necessary to manage the child's nursery place.

Information about staff, students, volunteers and applicants may include:

- contact details;
- employment history;
- qualifications;
- references;
- identity information;
- right-to-work information;
- Disclosure and Barring Service (DBS) information;
- suitability checks;
- payroll and financial information;
- attendance and absence information;
- training records;
- supervision and appraisal records;
- health information where relevant;
- emergency contact information; and
- other information required for employment, safeguarding and regulatory purposes.

5. Why We Use Personal Information

We may use personal information to:

- provide safe childcare and early education;
- administer children's nursery places;

- meet children's individual needs;
- support children's learning and development;
- monitor children's progress;
- identify and support SEND;
- administer funded early education;
- maintain attendance records;
- contact parents/carers;
- manage emergencies;
- administer medication safely;
- manage allergies, dietary requirements and medical conditions;
- safeguard and protect children;
- fulfil our legal and regulatory responsibilities;
- work with other professionals supporting a child;
- manage transitions to another setting or school;
- respond to complaints;
- maintain appropriate financial and administrative records;
- recruit and manage staff;
- maintain staff suitability and safeguarding requirements;
- communicate with families;
- manage the nursery effectively; and
- demonstrate compliance with our legal and regulatory responsibilities.

We will not collect personal information simply because it may be useful at some point in the future.

6. Our Lawful Bases for Using Information

Data protection law requires us to have an appropriate lawful basis for processing personal information.

Depending upon the particular purpose, we may rely upon:

Legal obligation

Where processing is necessary for us to comply with a legal requirement, including requirements relating to childcare, the EYFS, safeguarding, employment, taxation or regulatory responsibilities.

Contract

Where processing is necessary in connection with a contract or agreement, such as arrangements for providing childcare.

Legitimate interests

Where it is necessary for the legitimate operation of the nursery and those interests are not overridden by the individual's rights and interests.

Particular care will always be taken when considering legitimate interests in relation to children's information.

Vital interests

Where information needs to be used or shared to protect someone's life, for example during a medical emergency.

Public task

Where applicable, when processing is necessary to perform a task in the public interest which has a clear basis in law.

Consent

There will be circumstances where we ask for specific consent.

Where we rely upon consent, it will be informed, specific and freely given and can be withdrawn.

We will not rely on consent where another lawful basis is more appropriate.

7. Special Category Information

Some information requires additional protection under data protection law.

This may include information about:

- health;
- disability;
- racial or ethnic origin;
- religion or beliefs; and
- other special category information.

We will only process special category information where we have both an appropriate lawful basis and an appropriate additional condition under data protection law.

We will take additional care to ensure this information is kept secure and confidential.

8. Children's Information

Children have data protection rights in relation to their personal information.

Because the children attending Scotswood Village Nursery are very young, parents and carers will normally be closely involved in matters relating to their child's information.

However, the information ultimately relates to the child and children's privacy and best interests remain central to our decisions.

Where appropriate, information about privacy will be explained to children in ways that are suitable for their age and understanding.

We will collect only information that is appropriate and necessary and will take additional care when deciding how children's information is used or shared.

9. Photographs and Videos

Photographs and videos can be valuable for recording children's experiences, sharing learning with families and celebrating nursery life.

We will ensure photographs and videos are taken and used appropriately.

Depending upon the purpose, we may seek specific parental/carers permission for uses such as:

- photographs used within nursery;
- sharing learning and activities with parents/carers;
- displays;
- promotional materials;
- the nursery website; or
- nursery social media, where applicable.

Permission for one purpose does not automatically mean that an image can be used for another purpose.

Where consent is the lawful basis, parents/carers may withdraw that consent.

Safeguarding and children's dignity will always be considered when photographs or videos are taken or shared.

Staff must only use nursery-approved equipment, systems and procedures for recording children.

Personal devices must not be used to photograph or record children unless expressly permitted under a specific nursery policy and lawful arrangement.

10. Class Dojo and Digital Communication

Scotswood Village Nursery uses **Class Dojo** as part of its communication with families.

Where personal information, photographs, observations or messages are shared using an online service, we will take reasonable steps to ensure the service is used securely and appropriately.

Access should only be provided to authorised users.

Parents/carers must protect their own account details and should not share photographs, videos or information about other children outside the intended platform or audience.

Before introducing a new digital system that processes children's personal information, the nursery will consider its privacy and data protection implications and whether additional assessment or safeguards are required.

11. Sharing Information

We do not routinely disclose personal information to other organisations without an appropriate reason.

However, we may need to share relevant information with organisations or professionals including:

- Newcastle City Council;
- schools and other early-years settings;
- health visitors;
- NHS and health professionals;
- speech and language therapists;
- educational psychologists;
- SEND and inclusion services;
- social care;
- safeguarding professionals;
- emergency services;
- Ofsted;
- government departments or agencies;
- funding bodies;
- payroll, pension or professional service providers where applicable; and
- other organisations where there is a lawful and necessary reason to share information.

We will only share information that is relevant and necessary for the purpose.

12. Safeguarding and Information Sharing

Protecting a child from harm takes priority.

Where there is a safeguarding concern, we may share relevant personal information with Children's Social Care, police, health professionals or other appropriate safeguarding agencies.

Consent is not always required before sharing information for safeguarding purposes.

Where appropriate and safe, families will normally be kept informed. However, information may be shared without first informing a parent/carer where doing so is necessary and lawful to protect a child or another person.

Staff must never delay necessary safeguarding action because they are unsure about data protection.

Any concerns should immediately be discussed with the Designated Safeguarding Lead (DSL).

Please refer to our **Safeguarding and Child Protection Policy**.

13. Information Received from Other Organisations

We may receive information about children and families from other organisations or professionals, for example:

- another nursery or childcare setting;
- a school;
- the Local Authority;
- health professionals;
- social care;
- SEND services; or
- other agencies supporting the child or family.

We will only use this information for appropriate and lawful purposes and will protect it in the same way as information collected directly by the nursery.

14. Keeping Information Accurate

We aim to ensure personal information is accurate and up to date.

Parents/carers are asked to tell us promptly about changes to information such as:

- address;
- telephone numbers;
- emergency contacts;
- parental responsibility or relevant legal arrangements;
- medical conditions;
- allergies;
- medication;

- dietary requirements; or
- other information that may affect their child's care.

Where we become aware that information is inaccurate, we will take appropriate steps to correct it.

15. Keeping Information Secure

We take reasonable organisational and technical measures to protect personal information.

These may include:

- password-protected systems;
- restricted access to electronic records;
- secure storage of paper records;
- appropriate staff access permissions;
- secure disposal of confidential information;
- staff confidentiality requirements;
- appropriate security for nursery devices;
- secure methods of transferring confidential information; and
- staff training and awareness.

Staff must not discuss confidential information where they can be overheard by people who do not have a legitimate reason to know it.

Confidential records must not be left where they can be viewed by unauthorised people.

16. How Long We Keep Information

We do not keep personal information indefinitely simply because it may be useful in the future.

Different records have different legal, regulatory and operational retention requirements.

The nursery will maintain an appropriate **record retention schedule** setting out how long different types of information should normally be retained.

Retention periods will take account of:

- statutory requirements;
- EYFS requirements;
- safeguarding requirements;
- employment and financial legislation;
- insurance requirements;

- limitation periods;
- Local Authority requirements where relevant; and
- current professional and regulatory guidance.

When information no longer needs to be retained, it will be securely deleted, destroyed or anonymised as appropriate.

Safeguarding records may need to be retained for significantly longer periods than ordinary nursery records.

17. Children's Records When They Leave Nursery

When a child leaves Scotswood Village Nursery, relevant information may need to be transferred to their new school, nursery or other setting.

We will ensure that any transfer is appropriate and secure.

Information that does not need to be transferred will be retained or securely disposed of in accordance with our retention requirements.

SEND and safeguarding information will be handled particularly carefully to ensure that children continue to receive appropriate support and protection.

18. Parents' and Children's Data Protection Rights

Depending upon the circumstances and lawful basis being used, individuals may have rights including:

- the **right to be informed** about how information is used;
- the **right of access** to personal information;
- the **right to rectification** of inaccurate information;
- the **right to erasure** in certain circumstances;
- the **right to restrict processing** in certain circumstances;
- the **right to object** to certain processing;
- rights relating to **data portability** in applicable circumstances; and
- rights relating to certain forms of **automated decision-making**.

These rights do not apply in exactly the same way in every situation.

For example, the right to have information erased does not mean that records which the nursery is legally required to retain must automatically be deleted.

Requests relating to personal information should be made to Nursery Management.

We will respond in accordance with current data protection requirements.

19. Requests to See a Child's Records

Parents/carers may ask to see personal information held about their child, subject to data protection law and any applicable exemptions.

We will need to consider:

- who has parental responsibility;
- the child's rights;
- whether the information contains personal information about another person;
- whether disclosure could cause harm;
- safeguarding considerations; and
- any applicable legal restrictions.

We will verify the identity and authority of a person making a request where necessary.

Information will not automatically be provided simply because an adult is related to a child.

20. Parental Responsibility and Separated Families

Where parents are separated, we will handle personal information in accordance with the law and the child's best interests.

We will not assume that one parent can prevent another person with parental responsibility from exercising their legal rights simply because the parents are separated.

Where there are court orders or other legal restrictions affecting access to information, parents/carers should provide the nursery with relevant up-to-date documentation.

The safety and welfare of the child will always be our priority.

21. Data Breaches

A personal data breach may include information being:

- lost;
- sent to the wrong person;
- accessed by someone without permission;
- accidentally disclosed;

- altered without authorisation;
- stolen; or
- destroyed when it should have been retained.

Staff must report an actual or suspected personal data breach to Nursery Management **immediately**.

The nursery will assess the breach promptly, take action to limit any harm and record the incident.

Where legally required, the nursery will notify the Information Commissioner's Office (ICO) and/or affected individuals within the required timescales.

Staff must not attempt to conceal a data breach.

22. Confidentiality

Everyone working at Scotswood Village Nursery has a responsibility to maintain appropriate confidentiality.

Information about children, families and staff should only be discussed with people who have a legitimate reason to know it.

Confidentiality continues after a member of staff, student or volunteer leaves the nursery.

However, confidentiality must never prevent information from being shared where this is necessary to safeguard a child or comply with a legal obligation.

23. Data Protection by Design

Privacy and data protection will be considered when we introduce new systems, technology or significant new ways of using personal information.

Where processing may create a high risk to people's rights and freedoms, we will consider whether a **Data Protection Impact Assessment (DPIA)** is required.

We will aim to collect the minimum personal information necessary for the purpose and ensure appropriate safeguards are built into our procedures from the beginning.

24. Third-Party Services

The nursery may use external companies or services to help us operate effectively.

Where an organisation processes personal information on our behalf, we will take reasonable steps to ensure that appropriate data protection arrangements are in place.

Where a service stores or transfers personal information outside the UK, we will ensure that the transfer is considered in accordance with applicable data protection requirements and that appropriate safeguards are in place where required.

25. Concerns and Complaints About Personal Information

We encourage parents/carers, staff and others to speak to Nursery Management if they have any concerns about how their personal information is being handled.

We will take concerns seriously and try to resolve them promptly.

Individuals also have the right to raise a concern with the **Information Commissioner's Office (ICO)**.

Details about how to contact the ICO can be obtained from Nursery Management or directly from the ICO.

Making a complaint about data protection will not adversely affect a child's nursery place or the way a family is treated.

26. Staff Responsibilities

All staff must:

- understand and follow this policy;
- respect children's and families' privacy;
- keep confidential information secure;
- access information only when required for their role;
- use nursery-approved systems appropriately;
- follow nursery procedures for photographs and digital information;
- report suspected data breaches immediately;
- ensure information is shared appropriately;
- seek advice from Nursery Management when unsure; and
- complete appropriate data protection and confidentiality training.

A deliberate or serious breach of confidentiality or data protection requirements by a member of staff may be dealt with under the nursery's disciplinary procedures.

27. Review of This Policy

This policy will be reviewed annually or sooner where:

- data protection legislation changes;
- statutory or regulatory guidance changes;

- nursery systems or procedures change;
- a significant data protection incident identifies a need for review; or
- new technology or digital services are introduced.

We will keep our privacy information and data-handling practices under review to ensure that they remain appropriate for the children and families we serve.

Our Privacy Commitment

At Scotswood Village Nursery, families share a great deal of important information with us.

We recognise that this comes with a responsibility to treat that information with **care, respect and confidentiality**.

Our approach is simple:

We collect what we need, use it for appropriate purposes, keep it safe, share it responsibly and do not keep it for longer than necessary.
