



Acorns Nurseries Ltd Parent Privacy Notice

This privacy notice describes how Acorns Nurseries Ltd ('we' and/or 'nursery') collects and uses personal information about children attending a nursery/ActionPak ('child' or 'children') and the parents of the Children ('Parents') (known collectively as 'you' or 'your').

Acorns Nurseries Ltd will record, process and keep personal information on you and your child and is committed to protecting the privacy and security of your personal information in accordance with the General Data Protection Regulations 2018 (GDPR).

This notice applies to children and parents and does not form part of any 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 as soon as reasonably practical.

Acorns Nurseries Ltd is a 'data controller' and 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.

It is important that parents 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:

1. Used lawfully, fairly and in a transparent way
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes
3. Relevant to the purposes we have told you about and limited only to those purposes
4. Accurate and kept up to date
5. Kept only as long as necessary for the purposes we have told you about
6. Kept securely.

The Data Protection Lead with responsibility for monitoring this privacy notice are the Company Directors. Each Nursery/ActionPak Manager has overall responsibility for ensuring that the necessary policies and procedures are followed and implemented by all staff.

What information do we hold on 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.

Children and Parents

Acorns Nurseries Ltd collects, holds and share two kinds of records on parents and children attending our nurseries:

1. Developmental records – (not applicable to ActionPak)

Each child will have an individual development file which starts on a child's first day at nursery and is kept up to date throughout their time at Acorns to monitor and support your child's development, evidence a child's development and progress whilst at nursery.

Acorns Nurseries Ltd use an online digital learning journey platform called 'iConnect' and their privacy policy can be found by accessing the App or their information web page.

A Child's account is archived upon leaving the nursery and no copies of these files will be retained at the nursery after a child leaves the nursery.

These files include:

- Personal information – name, date of birth, parents' names, start date at nursery, group name and members of staff within the group
- Developmental information collected prior to the child starting at nursery
- Achievements shared via the 'WOW tree'
- Observations of children in the nursery made by Key Carers, photographs, video clips, recordings of the children's voices, samples of work and developmental assessment records
- Any parent input regarding the development and achievements of your child
- Information shared from other early years settings attended by your child, where applicable, regarding their development and next steps for learning.

Observation, planning and assessment records of children will also be made and kept within the nursery by the group Key Carers.

2. Personal records

For children these include:

- Personal details – including the information provided on the child's enrolment form (e.g. name, gender, date of birth, home address, who has parental responsibility) and any consent forms
- A 'Child Information Form' and 'All About Me' form with child's name, date of birth, parents' names, individual routines, likes/dislikes and needs
- Photographs of the children and work completed by your child for general display purposes within the nursery/ActionPak and to signpost children to their trays and pegs, special event record books
- With parental consent - Photographs/videos obtained for marketing purposes including Acorns Nurseries Ltd and ActionPak website and for use on Acorns Nurseries Ltd Social Media Sites only
- Contractual matters – including the child's days and times of attendance (registers), a record of your child's fees and/or funding entitlement, any records of fee reminders and/or disputes
- Emergency contact details – including those people, other than parents/guardians to be contacted in an emergency should you be unavailable and those with authorisation to collect your child from the nursery in your absence
- Records relating to your child's individual needs e.g. care plans, dietary requirements, swimming ability (ActionPak only), common assessment frameworks, speech and language referral forms
- For children attending ActionPak, school attended and any additional support at school is recorded. This information is collected to ensure that we are able to meet each child's individual needs at the holiday play scheme
- Early support and SEND/ALN – including any focussed intervention provided by us or outside agencies where applicable and all records required
- Correspondence and reports – including letters and emails to and from other external agencies and any confidential reports relating to specific children
- Funding application forms (England only) – the nursery is required to keep the completed form with a copy of I.D.
- Birth Certificate/Passport – a copy of one is required to be retained in the nursery by Bristol City Council (for Henbury Hill House Acorns) and South Gloucestershire Council (for Acorns Aviva nursery) for identification purposes to prove eligibility for funding purposes.

We will also collect, store and use the following 'special categories' of more sensitive personal information:

- Information about a child's race or ethnicity, spoken language and nationality
- Information about a child's health and wellbeing – including discussions about every day matters with the parent/guardian, records of accidents/incidents and pre-existing injuries, records of any reportable death, injury, disease or dangerous occurrence.
Information about a Child's health, including any medical condition, health and sickness records, allergies, regular medication/creams, Health Care Plans, Doctor's contact details and Health Visitor's details, immunisation records and medication records of any medicines/creams administered in nursery/ActionPak
- Safeguarding and child protection – including records of all welfare and protection concerns and our resulting actions, meetings and telephone conversations about the child and any information regarding a 'Looked After Child', child protection referral forms /child protection case details/reports.

For parents these include:

- Personal details – name, home address and signature on any consent forms and those forms completed by parents during enrolment
- Contractual matters – bank details required for the set-up of a Direct Debit to collect fees
- Correspondence and reports – including letters and emails to and from parents
- National Insurance number (for funding purposes only in England)
- Contact details – including personal and workplace contact numbers, name at work if different to that on enrolment form and an email address for correspondence about your child and the service provided. At Acorns we send the following via email:
 - Policies and Procedures (upon registration and thereafter to include updates as they occur)
 - Nursery Menus
 - Nursery or ActionPak Newsletters
 - Notification of an infectious disease/illness within the nursery/ActionPal
 - Timetables and Group Telephone Contact Numbers (ActionPak only)
 - Information letters and correspondence relating directly to the service we provide at the nurseries and ActionPak.

We will also collect, store and use the following 'special categories' of more sensitive personal information:

- Safeguarding and child protection concerns – conversations with Parents where it is deemed relevant to the prevention of radicalisation or other aspects of the Government's 'Prevent' strategy.

We use this data to:

- Ensure a contract of service is delivered and maintained
- Support your children's learning and development
- Make assessments, monitor and report on children's development
- Share information about activities in our nurseries
- Contact named people in an emergency
- Safeguard the children in our care in accordance with relevant legislation
- Comply with Government legislation
- Assess the quality of our services
- Contact you regarding your child and the services we provide
- Ensure the nursery receives the statutory funding for which it is eligible.

How is your personal information collected?

We collect personal information about children and parents from when the initial enquiry is made by parents, through the enrolment process and until the children stop using the nursery/ActionPak services.

How will we 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 entered into with you
- Where we need to comply with a legal obligation
- 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:

- Where we need to protect your interests (or someone else's interests)
- Where it is needed in the public interest or for official purposes.

Situations in which Acorns Nurseries Ltd will use personal information of children

We need all the categories of information in the list above 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 include:

- Upon consent from the parents, personal data of children will be shared with schools to aid the transition from nursery and into the next stage of their education
- Upon consent from the parents, personal data with other professionals supporting your child, for example health visitor, pre-school, nursery, school, other health or education professionals
- Personal information of children may be shared with local authorities without the consent of parents for funding purposes (e.g. where an audit is undertaken by the local authority to ensure a child's eligibility for early years education funding) or funded services they support (e.g. Childcare Offer) to enable the appropriate funding to be received
- Our regulatory bodies Ofsted(England)/CIW(Wales) will be allowed access to the Nursery/ActionPak records and systems as part of the inspection process:
 - To ensure we meet the needs of the children
 - To enable the appropriate funding to be received
 - To report on a child's progress whilst with the nursery
 - To check safeguarding records
 - To check complaint records
 - To check attendance patterns are recorded.
- We are obliged to share personal information of children and parents without the consent of parents where there is a situation where child protection is necessary. This may happen without authorisation from the person who provided it, or to whom it relates, when:
 - there is evidence that the child is suffering, or is at risk of suffering significant harm
 - There is reasonable cause to believe that a child may be suffering, or is at risk of suffering, significant harm
 - It is to prevent significant harm arising to children, young people or adults, including the prevention, detection and prosecution of serious crime.

Situations in which Acorns Nurseries Ltd will use personal information of parents

We need all the categories of information (as above) primarily to allow us to perform our contracts with Parents and to enable us to comply with legal obligations. The situations in which we will process personal information of parents include:

- Personal information of parents will be shared with local authorities without the consent of parents for funding purposes (e.g. where an audit is undertaken by the local authority to ensure a child's eligibility for early years education funding) or funded services they support (e.g. Childcare Offer) to enable the appropriate funding to be received
- 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 that nursery/ActionPak fees are paid.

Failing to provide personal information

If parents fail to provide certain information when requested, we may not be able to perform the respective contracts we have entered into with parents, or we may be prevented from complying with our respective legal obligations to children and parents.

Change of Purpose

Acorns Nurseries Ltd will only use your personal information for the purposes for which it was collected, unless it is considered reasonable that we need to use it for another reason and that reason is compatible with the original purpose.

If we need to use any personal information for an unrelated purpose, we will notify the parent, 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 a child's or a Parent'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:

1. In limited circumstances, with parent explicit written consent
2. Where it is needed in the public interest, such as for equal opportunities monitoring
3. 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 a child or parents' interests (or someone else's interests) and the child or parent, as is appropriate, is not capable of giving consent, or where the parent has already made the information public.

Data sharing

We may have to share child or parent data with third parties, including third-party service providers and other entities in the group, such as other nurseries registered and operated by Acorns Nurseries Ltd. We require third parties to respect the security of your data and to treat it in accordance with the law.

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, external agencies/professionals and designated agents), local authorities, regulatory bodies, schools/other early years settings, Connect Childcare, iConnect, external professionals/agencies and other nurseries registered and operated by Acorns Nurseries Ltd. 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 and other early years settings – to provide a successful transition by ensuring information about the child's progress and current level of development and interests are shared
- iConnect – This is the digital learning journey platform used to record children's development during their time at Acorns as part of our requirements. Parents are required to set up their account via the ParentZone app. The Nursery Manager will generate an email using iConnect to each parent whereby the parent will be responsible for setting up their account and password for future access to view their child's account using the ParentZone app. This includes answering security questions.

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.

Personal information will only be shared to other nurseries registered and operated by Acorns Nurseries Ltd in the event of a child/employee transferring between our nurseries, or in the case where a child/employee attends more than one nursery.

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.

Storing data

We ensure that access to children's files is restricted to those authorised to see them such as the Company Directors, Management Team, Designated Safeguarding Leads, the child's key person/group Key Carers or the company SENCO/ALNCO.

All paper copies of documents containing confidential records are stored in the Nursery/ActionPak Office within locked filing cabinets and cupboards.

Acorns Nurseries Ltd uses a nursery management software called 'Connect Childcare' and the following personal information is processed to create an individual profile of each child and their parents:

- Child and parent personal and contact information
- Invoices, bank details (where provided) and receipts of payments/vouchers made
- Booking details to include pattern of attendance, start and finish dates
- Health and Wellbeing information (e.g. dietary requirements, illnesses, details of child's Doctor, immunisation record, etc)
- Emergency contact details
- Notes regarding any correspondence or important information as applicable to each child (e.g. to record the sending of a confirmation letter or the wish to be placed onto the waiting list).

'Connect Childcare' is only accessible to those who are required to access it as part of their role including the Nursery/ActionPak Manager or Assistant Manager, Placement Manager, HR and Parent Liaison Manager, Finance Team and is password protected.

The nursery and ActionPak send emails from Microsoft Outlook software and the Connect Childcare software which are password protected and only accessed by the Manager/Assistant. Parents are provided with the email address as applicable to the nursery their child attends and are able to send correspondence via email.

Parents are asked to provide an email address for correspondence from the nursery/ActionPak (as stated on page 4). With consent, these email addresses are stored into a contact list for as long as the consent stands and until your child leaves the nursery/ActionPak.

Upon receiving consent from Parents of Acorns ActionPak, an email address can be added to a marketing platform called MailChimp which is password protected and can only be accessed by the Marketing Manager. This platform is used to provide information directly concerned with Acorns ActionPak, including dates of operation and special events. Parents are able to unsubscribe from this service at any time.

All computers are password protected, have the latest anti-virus software installed and automatically logout after periods of inactivity.

Tablet devices are used for accessing and inputting data (observations, photos, videos, voice recordings) into 'iConnect,' the digital learning journey platform we use to track and record children's development during their time at nursery. Each member of staff has their own account and access to the platform is password protected. Access to individual children's profiles is limited and restricted to those staff who are responsible for overseeing the child's development. The Nursery Management Team are able to access all of the children's profiles and are responsible for allocating and restricting the access to those as necessary.

Data retention

Acorns Nurseries Ltd 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. Details of retention periods of different aspects of your personal information are available in our Data Retention Policy which is available from the Nursery/ActionPak Manager.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

Once you have terminated your contract or your child is no longer benefitting from the nursery's/ActionPak's services with Acorns Nurseries Ltd, we will retain and securely destroy your personal information in accordance with our Data Retention Policy and applicable laws and regulations.

Rights of access, correction, erasure and restriction

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 parents 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 particular 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 parents 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 Company Director in writing to:

Acorns Nurseries Ltd
3-7 Park Grove
Cathays
Cardiff
CF10 3BJ

The Company Directors can also be contacted by telephone on 02920 382 009.

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.

Your 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 the Nursery/ActionPak 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.

If you would like to discuss anything in this privacy notice, please contact the Nursery/ActionPak Manager or Company Directors.

Acorns Nurseries Ltd are registered with the Information Commissioner's Office. If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance, or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>.