

# Privacy Notice for Early Years Funding



## Nottingham City Council Information Compliance

**Service Area: Early Years**  
**Directorate: People**  
**PN - 194**

**March 2022**

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The **Early Years Funding Team** are part of Nottingham City Council, who are the data controllers for the personal data (or personal information) that we process about you. When we process personal information relating to you, we will only do so when it is necessary and where we have a lawful reason to do so.

We will use the information provided by you for a number of reasons, depending on the service or reasons for interacting with you. This includes:

- Allocating your child a funded early years place;
- Commissioning of services and contracts with providers;
- Administering all aspects of the contractual relationship between the Council and providers;
- Dealing with provider non-compliance and complaints from members of the public;
- Providing information to OFSTED regarding proposed and registered childcare provision and inspections;
- Providing central government with information to target parental engagement strategies;
- Undertaking training with providers; and
- Working with providers on safeguarding concerns

When we process your personal information, we will comply with data protection legislation and enable you to exercise your rights contained within the legislation.

### **What personal information will the Council process?**

The information that we collect about you to fulfil the purposes, objectives, or to deliver the services outlined above relates to:

#### **If you are a parent or child:**

- Name of child, and person with parental responsibility
- Address and contact details
- Date of Birth
- Gender
- Financial information
- Details of childcare provision
- National Insurance Number

#### **If you are a provider**

- Name
- Address
- Contact details

The information provided by you may include the following 'special categories of personal data':

- Race or Ethnic origin
- Religious beliefs
- Physical or mental health

### Lawful basis for processing

The basis under which we use your personal information for these purposes is that this is:

- Necessary for the performance of a task carried out in the public interest by the Council or in the exercise of official authority vested in the Council;
- Necessary for compliance with a legal obligation to which the council is subject;
- Necessary for compliance with a contract to which the Council is subject.

Contract will be applicable when processing personal data in accordance with the contract between the provider and Council.

The public tasks and legal obligations are a result of the powers and duties contained in

- Sections 6, 7, 7A, 9A, 12 and 13 of the Childcare Act 2006;
- Section 2 the Childcare Act 2016;
- The Local Authority (Duty to Secure Early Years Provision Free of Charge) Regulations 2014;
- The Childcare (Early Years Provision Free of Charge) (Extended Entitlement) Regulations 2016; and
- Equality Act 2010

The team work within the following codes and guidance:

- Schools Admissions Code;
- Statutory Framework for the Early Years Foundation Stage; and
- Special Educational Needs and Disability Code of Practice 0 to 25 years 2015

The condition under which we process 'special categories of personal data' is that such use is **necessary for reasons of substantial public interest** and in accordance with the provisions of the UK General Data Protection Regulation and the Data Protection Act 2018.

The Council may also process and include personal data relating to criminal offences. The condition under which this information is processed is for **statutory reasons of**

**substantial public interest for the prevention and detection of crime, the prevention of fraud and for safeguarding children and other individuals at risk.**

**Will my information be shared with other organisations or used for other purposes?**

The Council will only share your personal information with other departments within the Council, and with other organisations when it is necessary to provide the services to you, and when we have a lawful reason to do so. The Council may also share your information when we are obliged to by law.

In relation to this service, the Council may share your personal information with:

- **The Childcare Provider**
- **Capita**
- **East Midlands Shared Services (EMSS)**
- **Department for Work and Pensions (DWP)**
- **Department for Education (DfE)**
- **Office for Standards in Education, Children's Services and Skills (OFSTED)**

The information provided by you may also be used for the purpose of any other function carried out by the Council. This may include sharing your information across the Council, or with external organisations. Information about these functions and the legal basis on which information is used for them can be found at <http://www.nottinghamcity.gov.uk/privacy-statement/>

The information will only be used for another purpose where it is lawful to do so.

### **Do I have to provide the information?**

You **are not** obliged by statute to provide some of the information that is specified here. However, failure to provide information to us would mean that we could not fulfil our functions in offering your child a free place.

### **How long will the Council retain the data for?**

The information that you have provided will be kept for **6 years**.

The Council publish an Information Asset Register (IAR), this will outline the retention periods for the personal data we process. You can find this IAR on our website <https://geoserver.nottinghamcity.gov.uk/information-asset-register/>

### **Information Rights**

The UK General Data Protection Regulation provides for the following rights as prescribed by the legislation:

- A right to request a copy of your information
- A right to request rectification of inaccurate personal data
- A right to request erasure of your data known as 'the right to be forgotten'
- A right to in certain circumstances to request restriction of processing
- A right in certain circumstances to request portability of your data to another provider
- A right to object to processing of data in certain circumstances
- A right regarding automated decision making including profiling

However, Nottingham City Council can restrict the above rights in certain circumstances for example to avoid obstructing an investigation, avoid prejudicing the prevention, detection, investigation or prosecution of criminal penalties or to protect the rights and freedoms of others.

### **Data Protection Officer**

The Data Protection Officer is Naomi Matthews. You can contact the data protection officer at:

Loxley House,  
Station Street,  
Nottingham,  
NG2 3NG

or at [data.protectionofficer@nottinghamcity.gov.uk](mailto:data.protectionofficer@nottinghamcity.gov.uk) .

### **Information Commissioner's Office**

The Information Commissioner's Office (ICO) website provides guidance on data protection and privacy matters, you can visit the website at [www.ico.org.uk](http://www.ico.org.uk). You also have the right to complain to the ICO if you consider that the Council have processed your personal data incorrectly or that we have breached our obligations to you. You can contact the ICO at:

Wycliffe House,  
Water Lane  
Wilmslow,  
Cheshire  
SK95AF

[www.ico.org.uk](http://www.ico.org.uk)

### **Further Information**

For more information about these rights please refer to our detailed privacy statement at <https://www.nottinghamcity.gov.uk/privacy-statement> .