



### **35. PRIVACY NOTICE EMPLOYEES- DATA PROTECTION ACT 1998 GENERAL DATA PROTECTION REGULATION (GDPR) 2016**

As an Ofsted Registered setting, Kate Adams is a data controller for the purposes of the DPA and GDPR and I am registered with the Information Commissioner's Office (ICO).

To comply with legislation and my setting registration, I must collect information from you and may receive information about you from past employees etc. I hold this personal data and use it to:

- Comply with legislation
- Ensure that my Early Years setting receives the appropriate funding
- Assess how well the setting is doing

The personal information collected about you could include:

- Your name
- Address
- Email address
- Telephone numbers-including those of emergency contacts
- Date of birth
- Medical information
- National Insurance number
- Suitability checks, including references and DBS number and date of certificate,
- Records of ongoing suitability, including declaration of disqualification and
- disqualification by association
- Health declaration
- Photographs
- Appraisals
- Disciplinary proceedings
- Contracts and salary information
- Bank account details

Most of the information I collect about you is statutory, to ensure I comply with my duties under:

- Early Years Foundation Stage 2017, Childcare (General Childcare Register)
- Regulations 2008, Childcare Act 2006
- Registration as a childminder with Ofsted
- Keeping Children Safe in Education 2016
- Limitation Act 1980
- (LADO) requirements Local Safeguarding Children Board (LSCB) and Local
- Area Designated Officer
- Taxes Management Act 1970 and Income Tax (Employments) Regulations

- 1993 (as amended)
- National Minimum Wage Act 1998,
- Statutory Maternity Pay (General) Regulations 1986,
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995
- (RIDDOR) (as amended)
- HMRC and the Pensions Regulator
- LA funding requirements
- GDPR 2016

When information is optional, I will let you know that you have a choice about whether to share it with me or not.

Unless there are specific reasons regarding child protection that I have been advised by the Local Safeguarding Children Board, you have a right under the DPA and GDPR to ask to see the information I hold on you. Please speak to me for more information.

You have the right to ask for personal data held about you to be erased – this is known as ‘right to erasure’. I will conform to such requests unless I have a statutory duty to retain the data. Please speak to me for more information.

I will not transfer or otherwise disclose to third parties your personal data or personal data of others you have provided to me except:

- where permitted to do so for the purpose of exercising my regulatory functions
- where permitted or required by law to assist other agencies to exercise their
- statutory functions
- where you have agreed to the disclosure
- When references are requested

Details on whom I may share information with, how long I must retain data and how I store data are given in my Data Protection and Confidentiality Policy, my Information Sharing Policy and my Safeguarding Children & Child Protection Policy. You are asked to sign below to confirm receipt and acceptance of these policies.

As part of my setting Registration, I am required to pass some information about you to Ofsted.

If you require more information about how Ofsted store and use your information, then please contact them:

Address: Piccadilly Gate, Store Street, Manchester, M1 2WD  
 Telephone: 0300 123 1231  
 Email: enquiries@ofsted.gov.uk

**Information Commissioners Office**

If you are concerned about a data breach or the way in which I collect, store or share information, you can contact the Information Commissioner’s Office: 0303 123 1113

I acknowledge receipt of this Privacy Notice Yes/No

I acknowledge receipt and acceptance of the setting’s Data Protection and Confidentiality Policy, Information Sharing Policy and Safeguarding Children & Child Protection Policy which detail who the childminder may share information with and how long and how they will retain data Yes/No

I understand that, if it is a matter of safeguarding a child or vulnerable adult, information may be shared without my knowledge with the Multi-Agency Safeguarding Hub (MASH), the Local Area Designated Officer (LADO) or potentially the police.

Yes/No

Name of Manager :

Name of Employee:

Signature of Employee

Dated:

This policy was produced on 5/5/18 and last updated on 15/4/19