



## Blackberries Childcare Data Protection Policy

Blackberry House Day Nursery is fully committed to comply with the requirements of the Data Protection Act 1998 and will follow procedures that aim to ensure that all employees are fully aware of and abide by their duties and responsibilities under the Act.

This Privacy Notice does not form part of any contract you may have with us including contracts under which we provide childcare services to you.

We may update this Privacy Notice from time to time to reflect changes to the personal data that we process or the way in which it is processed or in response to changed legal, regulatory or operational requirements.

### Aim

In order to operate efficiently, Blackberry House Day Nursery has to collect and use information about people with whom it works. These may include members of the public, current, past and prospective employees, clients and customers and suppliers. In addition, it may be required by law to collect and use information in order to comply with the requirements of central government. This personal information must be handled and dealt with properly, however it is collected, recorded and used, and whether it be on paper, in computer records or recorded by any other means, and there are safeguards within the Act to ensure this.

Blackberry House Day Nursery regards the lawful and correct treatment of personal information as very important to its successful operations and to maintaining confidence Blackberry House Day Nursery and those with whom it carries out business Blackberry House Day Nursery will ensure that it treats personal information lawfully and correctly.

### Uses

The Act stipulates that anyone processing personal data must comply with Eight Principles of good practice. Personal data shall be processed fairly and lawfully and, in particular, shall not be processed, unless specific conditions are met.

Personal data shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes.

We collect many different types of personal data about you and, if we provide you with childcare services, about you and your child. We cannot respond to your enquiry or request for information or manage our relationship with you and to provide you with childcare services without your or your child's personal data. Where we don't need your or your child's personal data, we will make this clear, for instance we will explain if any data fields in our enquiry or enrolment forms are optional and can be left blank.

If any of the personal information you have given to us changes, such as your contact details, please inform us without delay by contacting Blackberry House Day Nursery, where your child is enrolled. Please always check first whether there are any available self-help tools to correct the personal data we process about you.

#### HEAD OFFICE ADDRESS:

Blackberry House 255 Norwich Road  
Wisbech, Cambridgeshire PE13 3UT  
Blackberries Childcare Limited Registered Company No. 5622537

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Personal data shall be adequate, relevant, and not excessive in relation to the purpose or purposes for which they are processed.

Personal data shall be accurate and, where necessary, kept up to date.

Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.

Personal data shall be processed in accordance with the rights of data subjects under this Act.

Type of personal data	Collected from
<p><b>a) Contact Information</b></p> <ul style="list-style-type: none"> <li>• Name(s)</li> <li>• Address(es)</li> <li>• Email address(es)</li> <li>• Contact details including mobile telephone number(s)</li> </ul>	<ul style="list-style-type: none"> <li>• You</li> <li>• Publicly available information from online resources including when you browse our website, or submit web forms</li> </ul>
<p><b>b) Personal Information</b></p> <ul style="list-style-type: none"> <li>• Date of birth of your child(ren)</li> <li>• Gender</li> <li>• Next of kin and details of other dependents (and their dates of birth where applicable)</li> <li>• Your marital or relationship status</li> <li>• Lifestyle and social circumstances</li> <li>• Emergency contact information</li> </ul>	<ul style="list-style-type: none"> <li>• You</li> </ul>
<p><b>c) Identity and Background Information</b></p> <ul style="list-style-type: none"> <li>• Passport, drivers' license or such like forms of ID</li> <li>• Verification of your address</li> <li>• Birth certificate(s) relating to your child(ren)</li> <li>• Your child's medical and health reports and dietary requirements</li> <li>• Image or photographs of your child(ren)</li> <li>• Application form(s)</li> <li>• Conflicts of interests (including where related to family networks)</li> </ul>	<ul style="list-style-type: none"> <li>• You</li> <li>• Your GP or health centre</li> </ul>



<p><b>d) Financial Information</b></p> <ul style="list-style-type: none"> <li>• Bank account details</li> <li>• Direct Debit</li> <li>• Credit and/or debit card</li> <li>• Funding for special educational needs and childcare</li> </ul>	<ul style="list-style-type: none"> <li>• You</li> <li>• Your bank or building society</li> <li>• Your local authority and related agencies</li> </ul>
<p><b>e) Special Category Personal Data</b></p> <ul style="list-style-type: none"> <li>• Racial or ethnic origin (including your nationality), religious or philosophical beliefs</li> <li>• Your child’s health data including allergy and vaccination status, accident reports, risk assessments, day-to-day health, and safety concerns</li> </ul>	<ul style="list-style-type: none"> <li>• You</li> <li>• Your emergency contact(s)</li> <li>• Police, local or central government authorities</li> <li>• Your GP or Health Centre</li> <li>• Us in the course of providing childcare services</li> </ul>
<p><b>f) Security, Location and Access Information</b></p> <ul style="list-style-type: none"> <li>• Information (including image data) captured or recorded by electronic card access systems, CCTV and other security control systems to the extent they are available</li> <li>• Data associated with passwords which may be assigned to you for dropping off and the collection of your child at Blackberry House Day Nursery, where your child is enrolled</li> </ul>	<ul style="list-style-type: none"> <li>• You</li> <li>• Your use of Blackberry House Day Nursery</li> <li>• security control systems</li> <li>• Records held at our Blackberry House Day Nursery Head Office</li> </ul>

Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

We engage service providers or partners to manage or support certain aspects of our business operations on our behalf. For example, provide services such as credit card processing, advertising and marketing services, IT services, email services, data hosting and cloud storage, debt collection and management, and customer satisfaction surveys. Our service providers and partners are required by contract to safeguard any personal data they receive from us and are prohibited from using the personal data for any purpose other than to perform the services as instructed by Blackberry House Day Nursery.

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In certain circumstances, we will also disclose your personal data to third parties who will receive it as controllers of your personal data in their own right for the purposes set out above, in particular:

- if we need to disclose your personal data in order to comply with a legal obligation, to enforce a contract or to protect the rights, property or safety of our staff, parents, children or other individuals.

We have set out below a list of the categories of recipients with whom we are likely to share your personal data:

- our bank;
- consultants and professional advisors including legal advisors and accountants;
- medical care and health providers;
- courts, court-appointed persons, local authority designated officer (LADO) for Safeguarding purposes and local authority Special Educational Needs (SEN) officers;
- business partners and joint ventures;
- educational training providers;
- insurers; and
- governmental departments, statutory and regulatory bodies, Information Commissioner's Office (ICO), Disclosure and Barring Services (DBS), Ofsted, the police, social services and Her Majesty's Revenue and Customs.

Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.

The Act provides conditions for the processing of any personal data. It also makes a distinction between **personal data** and **"sensitive" personal data**.

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for.



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. Further the period of time that we will retain your personal data will also depend on a number of other factors, including:

- any laws, regulations, tax, accounting or reporting requirements that we are required to follow;
- whether we are in a legal or other type of dispute with each other or any third party;
- whether we are asked by you or a regulatory authority such as Ofsted to keep your personal data for a valid reason.

Where our processing of your personal data is based on your **consent**, you have the right to withdraw your consent at any time. If you do decide to withdraw your consent, we will stop processing your personal data for that purpose, unless there is another lawful basis we can rely on and in which case, we will let you know. Your withdrawal of your consent won't impact any of our processing up to that point, but you may, for example, lose future access to information about activities, promotions and offers.

Ensure that the rights of people about whom the information is held can be fully exercised under the Act.

These include:

- The right to be informed that processing is being undertaken.
- The right of access to one's personal information within the statutory within one month of receipt of the request
- The right to prevent processing in certain circumstances.
- The right to correct, rectify, block or erase information regarded as wrong information.

All Senior Managers and Staff of Blackberry House Day Nursery will take steps to ensure personal data is kept secure at all times against unauthorised or unlawful loss or disclosure and in particular will ensure that:

- Paper files and other records or documents containing personal/sensitive data are kept in a secure environment.
- Personal data held on computers and computer systems is protected by the use of secure passwords, which where possible have forced changes periodically.
- Individual passwords should be such that they are not easily compromised.

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The Data Protection Act gives the Nursery Manager the right to refuse a request for a copy of the data particularly where such access could prejudice the prevention or detection of crime or the apprehension or prosecution of offenders.

If it is decided that a data subject access request is not to be complied with, the reasons will be fully documented and the data subject informed, whenever possible in writing, stating the reasons.

The register entry for Blackberry House Day Nursery contains personal data held for 6 purposes.

- Staff Administration
- Advertising, Marketing and Public Relations
- Accounts & Records
- Provision of Childcare Education
- Crime Prevention & Prosecution of Offenders

Processing Activity	Legal Basis for Processing
<p><b>Managing all aspects of our relationship with you</b> including, but not limited to, providing you with information about our services, visiting a nursery centre, considering your request to place a child, our fees and charges and your ability to pay, your bank account details, credit and or debit card information, managing absence and sickness records for your child, understanding health and dietary needs and special education needs, accidents and injuries, progress and development.</p>	<ul style="list-style-type: none"> <li>• The processing is <b>necessary in connection with any contract</b> that you have entered into with us, or to take steps prior to entering into a contract with us; or</li> <li>• We have a <b>legitimate interest</b> in carrying out the processing for the purpose of managing and operating our business; or</li> <li>• The processing is necessary for <b>compliance with a legal obligation</b>; or</li> <li>• We have obtained <b>your prior consent</b> to the processing (this legal basis is only used in relation to processing that is entirely voluntary – it is not used for processing that is necessary or obligatory in any way).</li> </ul>



<p><b>Operating our business</b> including administering our business activities, operating and managing our website, providing content to you, displaying advertising and other information to you, communicating and interacting with you through our website and email services, and providing customer service, including handling enquiries and complaints.</p> <p><b>Communications and marketing,</b> communicating with you through any means (including by email, telephone, SMS, social media, post or in person) about news, offers or services that we believe may be of interest to you, subject always to obtaining your prior opt-in consent to the extent required under applicable law, telling about changes to our services, providing you with information about our services, providing you with information about other services we offer, maintaining and updating your contact information where appropriate, and obtaining your opt-in consent where required.</p>	<ul style="list-style-type: none"> <li>• The processing is <b>necessary in connection with any contract</b> that you have entered into with us, or to take steps prior to entering with us; or</li> <li>• We have a <b>legitimate interest</b> in carrying out the processing for the purpose of our website, emails, or our services to you.</li> <li>• We have obtained <b>your prior consent</b> to the processing (this legal basis is only used in relation to processing that is entirely voluntary – it is not used for processing that is necessary or obligatory in any way).</li> </ul>
<p><b>Financial management including,</b> arising from registrations and enrolments, managing your account with us, finance, corporate audit, insurance, service provider and supplier management, the services we provide to you and billing.</p>	<ul style="list-style-type: none"> <li>• The processing is <b>necessary in connection with any contract</b> that you have entered into with us, or to take steps prior to entering with us; or</li> <li>• We have a <b>legitimate interest</b> in carrying out the processing for the purpose of our website, emails, or our services to you.</li> </ul> <p>We have obtained <b>your prior consent</b> to the processing (this legal basis is only used in relation to processing that is entirely voluntary – it is not used for processing that is necessary or obligatory in any way).</p>



<p><b>Management of IT systems</b> for the purpose of the management and operation of our communications, IT and security systems, and audits (including security audits) and the monitoring of such systems.</p> <p><b>Compliance with applicable laws</b> relating to our childcare operations including legal and regulatory obligations applying to us and judicial or administrative orders regarding custody, access, safeguarding, education and special needs.</p>	<ul style="list-style-type: none"> <li>• The processing is <b>necessary for compliance with a legal obligation</b>; or</li> <li>• We have a <b>legitimate interest</b> in carrying out the processing for the purpose of managing and maintaining our communications and IT systems.</li> </ul>
<p><b>To protect our safety and security and those of our staff, parents, children and visitors</b> including physical security of our premises, access to and records of visits to our premises, monitoring activity in our premises, CCTV recordings (to the extent that these are used and available) and electronic security (including login records and access details).</p>	<ul style="list-style-type: none"> <li>• The processing is necessary for <b>compliance with a legal obligation</b>; or</li> <li>• We have a <b>legitimate interest</b> in carrying out the processing for the purpose of ensuring safety and wellbeing of individuals and the physical and electronic security of our business and our premises.</li> </ul>

“**Personal data**” is any information that relates to an identifiable natural person. Your name, address, contact details, banking details in direct debit forms are all examples of your personal data, if they identify you.

**Notification to the Information Commissioner’s Office**

- The Information Commissioner maintains a public register of data controllers and Blackberry House Day Nursery is entered on this register.
- The Data Protection Act 1998 requires every data controller who is processing personal data, to notify and renew their notification, on an annual basis. Failure to do so is a criminal offence.
- The registered data controller for Blackberry House Day Nursery is;  
Deborah Hutler  
Company Director  
And is the person responsible for notifying and updating the Information Commissioner’s Office.

Policy Revised – 22.06.2021 Deborah Hutler – Company Director

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