

GDPR – Privacy Notice



Short Privacy Notice – Early Years, Early Education and Statutory Assessments:

The Council's Early Years function collects and processes your personal data for Early Years, Early Education Funding and Statutory Assessment purposes and will process your personal data in accordance with the General Data Protection Regulation and other relevant legislation, and not disclose your personal data to any other third party, unless allowed or required to do so under the General Data Protection Regulations or other relevant legislation. For further details about the processing of your personal data please see the [Full Privacy Notice](#) our [Data Protection and Privacy](#) web page.

Full Privacy Notice – Early Years, Early Education and Statutory Assessments:

This Privacy Notice tells you what to expect when North Lincolnshire Council Early Years function collects and uses your personal data for Early Years, Early Education Funding and Statutory Assessment purposes in accordance with the General Data Protection Regulation and other relevant legislation.

Complete the following fields:	
Data Controller	North Lincolnshire Council
Contact details:	North Lincolnshire Council – Early Years LDC Enderby Road Scunthorpe DN17 2JL
The categories of pupil information that we process include:	<p>Early Years & Early Education Funding functions will collect the following information (including personal and sensitive information) from the following sources. The information will be used from the Statutory 2 year old process check/EYFS summary, EYFS profile assessment at the end of the EYFS, Infant Mental Health Project, Parent Agreement Forms for early education funding for 2, 3 & 4 year olds and application forms for 2 year olds:</p> <ul style="list-style-type: none">• Personal identifiers and contacts (for example - Child's full name, Date of birth, child's NHS number, address details, parents name, signature, National Insurance details);• Characteristics (Such as - Child's ethnicity, language and 2 year old funding, EYPP eligibility);• Special educational needs (support provided, inclusion funding, involvement of the child with other services and professionals);• Medical (child and family health data);• Safeguarding information (Involvement of the child/family with other services and professionals including details of statutory support plans), and

	<ul style="list-style-type: none"> Attendance (for example name of provider, attendance, hours/sessions attended, number of absences and any previous providers attended). <p>Assessment and attainment - Developmental summary and age banding of the 'Early Years Outcomes' document including use of 'beginning' 'developing' or 'secure' in line with the LA key messages re EYFS assessment, identified next steps for provider and home, EYFSP judgements across the Early Learning Goals and Characteristics of Learning Name and signature of person completing check.</p>
<p>Purpose for processing your personal data</p>	<p>To manage, monitor and administer Early Years, Early Education Funding and Statutory Assessment activities and outcomes, including:</p> <p><u>Early Years</u></p> <ol style="list-style-type: none"> 1. Support to enable Early Years Providers to implement the Early Years Foundation Stage 0-5 years and all relevant statutory duties Support, advice and training to the private, voluntary and independent (PVI) early years childcare workforce and EYFS workforce in maintained schools and academies; 2. Range of Continuous Professional Development opportunities in regards to SEND and Inclusion for the Early Years workforce; 3. Support to EYFS providers through their quality improvement processes; 4. Targeted support to Early Years Providers to address areas for identified improvement; 5. A range of practical ideas and resources which are available to loan, and 6. To share relevant local and national updates of relevance to the early years sector. <p><u>Early Education Funding</u></p> <ol style="list-style-type: none"> 7. Process children and family details in applications for 2 year old funding; 8. Process children and family details related to claiming, monitoring and paying for early education funding (including relevant supplements) with providers for 2, 3 and 4 year olds; 9. Process children and families details on the Early Years Census return for the Department for Education, and 10. Undertake an annual sufficiency audit with providers and families. Share details of individual children and families (e.g. names, date of birth and address) with other relevant partners (e.g. Children's centres, family information service, health), where necessary to ensure that all children and families are encouraged and supported to access early years education.

	<p><u>Statutory Assessments</u></p> <p>11. To support EYFS providers to fully and accurately complete assessments, including the statutory assessment at age 2 (the 2 year old progress check / EYFS summary) contained in the personal child health record (PCHR) / health 'red book';</p> <p>12. To carry out all statutory duties in relation to the administration, moderation, quality assurance and reporting of the EYFS profile at the end of the EYFS as outlined in the EYFS statutory requirements and STA EYFS profile handbook and Assessment and Reporting Arrangements;</p> <p>13. The data gathered in relation to the 2 year old progress check / EYFS summary will be used to:</p> <ul style="list-style-type: none"> • Support Early Years Providers to assess, identify and respond early to any emerging difficulties, as outlined in the SEND code of practice (2014) • Monitor the quality and accuracy of assessment information and offer support with this • Monitor local data trends at age 2 including but not limited to geographical location, gender, hours of attendance, funding entitlement or EAL. • Monitor progress of different groups of children throughout the EYFS and beyond including but not limited to the categories above • Work in partnership with other council services e.g. health and children's centres to meet the needs of children and families locally • Support the provision of early years education and childcare, and <p>14. To carry out moderation in a sample of North Lincolnshire schools and academies at the end of key stage 1 and key stage 2, in accordance with the Education Act 2005.</p> <p><u>Infant Mental Health (IMH) Project</u></p> <p>15. To monitor the impact of the project on outcomes for children and families throughout the EYFS and beyond;</p> <p>16. To share details of individual children and families with other services and professionals (e.g. Health, children's centres) to ensure that individual needs are met and outcomes maximised, and</p> <p>17. To evaluate the project and impact of funding provided.</p>
<p>Will we use your personal information for other purposes?</p>	<p>We will not process your personal data for any other purpose than that for which it was collected, without first providing you with information on that other purpose and seeking your consent if applicable; except were we are required to disclose your personal data in accordance with legislation for example in relation to the prevention and detection of crime, counter terrorism, safeguarding, legal proceedings or to protect interests of you or another.</p>
<p>The Organisations acting</p>	<p><u>Early Years</u></p>

<p>on our behalf to process your personal data</p>	<p>1. All EYFS providers (PVI, maintained schools and academies) carrying out statutory assessments at age 2 and age 5 (EYFSP) or working with the team as part of the infant mental health project.</p> <p><u>Early Education Funding</u></p> <p>2. Funded childcare providers are Data Processors where the council contracts with the provider. (Please note providers are also separate Data Controllers for children outside of this arrangement).</p>
<p>The fair and lawful basis for processing your personal data</p>	<p>Processing basis 1 & 2: Processing of personal data is necessary in order to meet our legal duties (Article 6(1)(c)) and for the performance of a task carried out in the public interest or in the carrying out of official authority assigned to the controller (Article 6(1)(e));</p> <p>The main Governor law statutes are:-</p> <p><u>Early Years</u></p> <ul style="list-style-type: none"> • Children’s Act 1989 and subsequent updates 2004 and 2009 • Early Years Foundation Stage (EYFS) Statutory Guidance 2014; • SEND Code of Practice 2014; • Safeguarding Vulnerable Groups Act 2006; • Carers and Disabled Children Act 2000; • Children & Families Act 2014, and • Childcare Act (2006). <p><u>Early Education Funding</u></p> <ul style="list-style-type: none"> • Childcare Act 2006 and 2016; • Small Business Enterprise and Employment Act 2015; • Early Years Foundation Stage (EYFS) Statutory Guidance 2014; • SEND Code of Practice 2014; • The Local Authority (Duty to Secure Early Years Provision Free of Charge)(Amendment) Regulations 2018; • The School and Early Years Finance (England) Legislation 2018; • The Education (Information of Information About Young Children) (England) Regulations 2009; • The Free School Lunches and Milk, and School and Early Years Finance (Amendments Relating to Universal Credit) (England) Regulations 2018, and • Education Act 2011.

Statutory Assessments

- Childcare Act (Section 39 and 40) 2006;
- The EYFS (Learning and Development Requirements) Order 2007 (amended in 2012), and
- Education Act 2005.

Processing basis 3 (Early Years Only): for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract (Article 6(1)(b)).

In relation to Early Years contracts with individuals who approach the council to seek support, advice and/or guidance and training.

Special categories of personal data: processed on the basis of it is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued and which contains appropriate safeguarding measures (Article 9(2)(g)).

Where this legal basis does not apply for the processing of special categories of personal data the explicit consent of the data subject will be sought.

Special categories of personal data: the data subject has given explicit consent to the processing of those personal data for one or more specified purposes (Article 9(2)(a), including:

Early Years

Infant Mental Health Programme special category information including:

- Racial and ethnic origin, and
- Information about the health and any SEND of the child or family.

Early Education Funding

Research to inform sufficiency of childcare places.

Statutory Assessments

EYFS 2 year check / EYFS summary:

- Racial and ethnic origin, and
- Information about the health and any SEND of the child.

Are you required to provide the Council with your personal data	You are required to provide the minimum personal data necessary for us to manage your Early Years or Early Education Funding request or other Early Years, Early Education Funding or Statutory Assessment activities we are required or asked to carry out. Failure to provide the minimum necessary personal data we require could prevent us offering you this service or restrict the service offered or it could restrict our ability to carry out our statutory duties.
Does the processing involve automated decision-making, including profiling?	<u>Early Education Funding</u> Yes, to determine eligibility the Department for Education Eligibility Checking Service, checks DWP and HMRC data and uses an automated decision making process to determine if a child/family qualifies for 2 year old funding, Early Years Pupil Premium and 30 hours funding.
Can you withdraw your consent for processing?	Yes, but only where the lawful basis of consent has been relied upon to process your personal information.
Who we will share your personal data with	<ol style="list-style-type: none"> 1. Provision or school leader; 2. Other council teams for data checking and verification purposes. 3. Children's Centres – addresses of families potentially eligible for two year old funding are shared with Children's Centres for direct marketing. 4. Data from the 2 year old progress checks / EYFS summary will be routinely shared with the health visiting service as recommended in the EYFS statutory requirements (2017) paragraph 2.5. This will also be shared with other council departments e.g. children's centres to support integrated working and maximise support for children and families. 5. Other Local Authorities for data checking and verification purposes. 6. DfE – sent electronically, The DfE collects personal data from local authorities via various statutory data collections. We are required to share information about funded children with the Department for Education. All data is transferred securely and held by the DfE under a combination of software and hardware controls, which meet the current government security policy framework. The data that we lawfully share with the DfE through data collections underpins early education funding (which is calculated based upon the numbers of children and their characteristics in each Local Authority), informs 'short term' education policy, supports 'longer term' research and monitoring of educational policy. Data from the statutory EYFS profile assessment will be sent securely and electronically using the 'COLLECT' utility. 7. Personal and sensitive data collected as part of the infant mental health project may be shared anonymously with other local partners (e.g. NHS England; Clinical Commissioning Group (CCG), other local authorities) in order to evaluate the project and share outcomes. 8. Bodies requesting information where there is a lawful basis under the General Data Protection Regulations.
Transfers of personal data to a third country	Not routinely disclosed or transferred to recipients outside of the UK.

<p>How long we will retain your personal data for</p>	<p>Your personal data is retained in accordance with national guidance and our legal obligations, which are set out the Education and Learning section of our retention schedule.</p> <p><u>Early Years, Early Education Funding and infant mental health information:</u> Generally 6 plus the current year from closure of case (25 years after date of birth), unless there has been a child protection plan when retention is 40 years after date of birth or where a child has been in care when retention is 75 years from date of birth. If a child dies before reaching 18 years of age retention is 5 years from date of death.</p> <p><u>Statutory Assessments</u></p> <p>Generally 6 years following the date of assessment unless there is an issue with the assessment when this may be extended to reflect statutory or business requirements.</p> <p>Retention periods may be extended to reflect statutory or business requirements and there are some instances.</p>
<p>What are my rights in relation to my personal data?</p>	<p>You have the right to access the personal data we hold about you; to request we rectify or erase your personal data; to object to or restrict processing in certain circumstances; and a right of data portability in certain circumstances.</p> <p>More information on your rights can be found on our website</p> <p>http://www.northlincs.gov.uk/your-council/information-and-performance/information-governance/dataprotection/</p>
<p>Who can I complain to?</p>	<p>If you are dissatisfied with how we have processed your personal data you can contact the Data Protection Officer to request an Internal Review (Information Complaint).</p> <p>If you are dissatisfied with the outcome of the internal review, they have the right to appeal directly to the Information Commissioner for an independent review. https://ico.org.uk/concerns/</p>
<p>Contact details for our Data Protection Officer</p>	<p>Phillipa Thornley Email: cutsomerervice@northlincs.gov.uk Telephone: 01724 297000 Post: North Lincolnshire Council, Hewson House, Brigg, North Lincolnshire, DN20 8XB</p>