



# Family Information Service Directory Privacy Notice

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### **(Family Information Service Directory Privacy Notice)**

Wigan Council (“a data controller”) is committed to protecting the privacy and security of your personal information.

The Directory is an online information point for parents/carers and professionals around funding, entitlements, help with childcare costs and childcare searches. We are part of the Early Years and Childcare Team supporting and marketing Wigan’s childcare providers. Ofsted send us regular updates and our service is free for both childcare providers and parents/carers to access.

Our core obligations under the general data protection regulations (GDPR) and commitments are set out in the [Council’s primary privacy notice](#).

#### **This notice provides additional privacy information for:**

- Childcare Providers
- Individuals seeking information about childcare providers in their local area
- Individuals seeking information about the ‘local offer’ or who have special educational needs and disabilities (SEND)
- Individuals seeking information about financial support available for childcare/family activities/support services/health & wellbeing/education

#### **It describes how we collect, use and share personal information about you:**

- Before, during and after your relationship with us ends and
- The types of personal information we need to process, including information the law describes as ‘special’ because of its sensitivity.

It is important that you read this notice, together with any other privacy information so that you are aware of how and why we use your personal information.

#### **We collect Special Information;**

The law treats some types of personal information as ‘special’ because the information requires more protection due to its sensitivity. This information consists of;

- Racial or ethnic origin
- Sexuality and sexual life
- Religious or philosophical beliefs
- Trade Union membership
- Political opinions
- Genetic and bio-metric data
- Physical or mental health
- Criminal convictions and offences

## **Purpose(s)**

The main purposes for processing your personal information are:

- To provide a comprehensive service including guidance to individuals (parents/carers) about childcare and early year services in the local area. This includes information about:
  - Ofsted registered childcare
  - non-registered childcare
  - free entitlement to early year provision; and
  - childcare settings suitable for children with SEND needs
- To report on childcare sufficiency in the local area
- To inform individuals about local offer available to SEND individuals
- To report on the local offer available to SEND individuals
- Establish and run brokerage services for those finding it difficult to access the childcare provision they need
- To produce statistics to assess the level of supply/demand for childcare services across the Wigan Borough
- To report to Department for Education (DfE) statistics and information relating to our statutory duties relating to the Childcare Act 2006 and Children's Act 2014
- We share some of the information we collect with the Department for Education (DfE) to enable them to; produce statistics, assess our performance

## **Categories of personal data**

In order to carry out activities and obligations as Family Information Service Directory we process personal information in relation to:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses that are provided by Ofsted to us
- Contact details such as names, addresses, personal e-mail address, telephone numbers that will appear on your own directory page
- An overview of what you as a provider can offer locally to individuals
- Current information to ensure it is up-to-date.

## **Special Categories**

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

- Identification numbers and location data
- Links to regulatory information that may include compliance action, offences, criminal proceedings and health

## The legal bases we rely on for processing your personal information are:

- The Childcare Act 2006 ('the 2006 Act') and subsequent amendments extends local authorities' existing duty to provide information to the public on childcare and related services. From April 2008, in addition to information on childcare, local authorities are required to provide a range of information (prescribed by regulations) which parents may need to support their children through to their 20<sup>th</sup> birthday. Local authorities are also required to ensure that the information is made accessible to all parents who might benefit from it.

If we intend to use your information beyond legal obligations or to exercise specific rights we will seek your consent to process your information and full guidance will be provided.

## AUTOMATED DECISION-MAKING

All the decisions we make about you involve human intervention.

## COOKIES

To find out how we use cookies please [see our cookie notice](#).

## DATA SHARING

In addition to the general reasons for information sharing described in the Council's primary privacy notice:

- Ofsted, DfE, individuals accessing information through our statutory services such as brokerage, organisations providing services to individuals

We also collect or receive information from external parties such as:

In this context partners who we share information with include

- educational establishments
- Organisations that provide support i.e. Residential Homes, Supported Accommodation, Personal Assistants
- GP's
- the police
- court
- health service providers
- youth justice system
- any other person or organisation exercising functions or are engaged in activities in relation to children and adults in the authority's area

## DATA RETENTION

We 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 future legal, accounting, or reporting requirements.

We must continue to retain necessary information in accordance with our corporate records policy to fulfil legal, statutory and regulatory requirements.

## **RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION**

- You have the right to ask for your information and there will not be a charge for you to do so. This is known as a [subject access request](#) and we act in accordance with this policy.
- To ask for your information to be corrected if it is inaccurate or incomplete.
- To ask for your information to be deleted or removed where there is no need for us to continue processing it (right to be forgotten).
- To ask us to restrict the use of your information.
- To ask us to copy or transfer your information from one IT system to another in a safe and secure way without impacting the quality of the information.
- To object to how your information is used.
- To challenge any decisions made without human intervention (automated decision making).

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is in our view unreasonable or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

### **RIGHT TO WITHDRAW CONSENT AT ANY TIME**

Where the legal reason for processing your personal information is based on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of our processing prior to the withdrawal of your consent.

If you do not provide consent, we may not be able to perform the contract we have entered into with you to provide/host information and support about your service, or we may be prevented from complying with our legal obligations (such as statutory duties).

If you wish to withdraw consent you should notify the person who is your lead professional or the FIS administrator. You should put this in writing and we will process your request within 14 days.

### **YOUR RIGHTS**

In addition to the above you have legal rights in relation to your personal information. You have a right to be informed about how and why your personal information is being processed. This notice fulfils that obligation.

Full details are contained within the [Council's Primary Privacy Notice](#) and should be read before consenting to this document.

To ask for access to your information you should contact FIS Administrator at [fsd@wigan.gov.uk](mailto:fsd@wigan.gov.uk) or Family Directory Administrator, Early Learning and Childcare Team, 2<sup>nd</sup> Floor, Civic Centre, Wigan WN1 1AZ.

## **DATA PROTECTION OFFICER**

If you wish to raise a concern or discuss any aspect of this notice please contact our [Data Protection Officer](#).

If you are unhappy with the way that we handle your concern you may complain to the [Information Commissioners Office \(ICO\)](#) at:

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113

The Information Commissioners Office deals with concerns and complaints relating to data protection (GDPR) and freedom of information legislation.

## **CHANGES TO THIS PRIVACY NOTICE**

We may update or revise this privacy notice from time to time and will provide supplementary privacy information as is necessary.