



# Early Learning and Childcare Team (ELCC Team) Privacy Notice

Document control		
Document title	Early Learning and Childcare Team (ELCC Team) Privacy Notice	
Purpose		
Author		
Date of publication	05.06.18	
Valid until	05.06.19	
Owner/responsibility	Jayne Challiner	
Distribution	LanConsent/Other	
Version	Date	Comments
Version 1.0		



## Early Learning and Childcare Team (ELCC Team) Privacy Notice

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

The Early Learning and Childcare Team is responsible under the Childcare Act 2006 and subsequent amendments to ensure all children are able to take up their free hours in a high quality setting. We keep a database of providers to enable us to contact them to provide key Early Years updates and to interact with them to ensure appropriate support is provided.

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:**

- Private and Voluntary Nurseries
- Childminders
- Out of school clubs
- Academies
- Community and Voluntary controlled schools

### **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 support the improvement of the Quality of Early Years Provision in the Wigan Borough.
- To target support from the team appropriately.
- To provide key strategic Early Years messages to all providers.
- To report on Ofsted statistics in our area.
- To support contract compliance.
- To support sustainable business models.
- We share some of the information we collect with the Department for Education (DfE) to enable them to: produce statistics and assess our performance.

## Categories of personal data

In order to carry out activities and obligations around Quality Improvement we process personal information in relation to:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses. We will seek written permission to contact providers to arrange visits, share CPD opportunities.
- In some cases cash flows and staff wages and provider bank details.
- Contracts with the team.
- Contact details such as names, addresses, personal e-mail address, telephone numbers
- Ofsted Reports and Outcomes
- Notes of visits following visits from the team.

## Special Categories

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

- Offences (including alleged offences), criminal proceedings, outcomes and sentences  
(Reference may be made on the notes of visit and also correspondence from Ofsted and Safeguarding partners in the case of investigation.) This is stored securely.

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

- **Childcare Act 2006 and subsequent amendments**

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 quality improvement.
- Other teams within the Council eg finance and contract compliance team.
- LADO
- Wigan Safeguarding Children Board (soon to be Safeguarding partners)

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

- Ofsted
- Finance Team
- Contact compliance team
- DfE
- LADO
- Wigan Safeguarding Children Board (soon to be Safeguarding partners)
- Educational establishments
- Organisations that provide support ie residential homes personal assistants
- GP's
- Police
- Courts
- Health service providers
- Youth justice system
- Any persons or organisations exercising functions or are engaged in activities in relation to children and adults within the borough

## 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, or we may be prevented from complying with our legal obligations.

If you wish to withdraw consent you can contact the Early Learning and Childcare Team in writing who 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 the Early Learning and Childcare Team on 01942 828849 (Wigan Council, Civic Centre, Millgate, 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.