# EARLY YEARS FUNDING SERVICE SPECIFIC PRIVACY NOTICE

**Identity: Early Years Funding**

Our core data protection obligations and commitments are set out in the council’sprimary privacy noticeat[**https://www.bury.gov.uk/index.aspx?articleid=14237**](https://www.bury.gov.uk/index.aspx?articleid=14237)

This notice provides additional privacy information for those receiving or delivering funded early education and childcare in Bury.

**Purpose(s)**

We obtain your personal information for the following purpose(s):

* To process funding claims for Bury providers
* To monitor the uptake and sufficiency of funded places

**Categories of personal data**

In order to carry out these purposes we collect and obtain:

* Information on the Child
  + Forename, Middle Name, Surname
  + Date of Birth
  + Gender
  + Address, Post Code
  + Ethnicity, Disability
  + Early Education and Childcare Provider
  + Early Years Pupil Premium (EYPP) Eligibility
  + Income Deprivation Affecting Children Index (IDACI) Funding Eligibility
  + Disability Access Fund Eligibility (DAF)
  + Special Education Needs Funding Eligibility
* Information on the Parent/Carer
  + Forename, Surname
  + Date of Birth
  + Address, Post Code
  + 30 hours eligibility code
  + National Insurance Number
* Information on Early Education and Childcare Provider on domestic premises:
  + Forename, Surname
  + Address, Post Code
  + Telephone Number, Email
  + Department for Education (DfE) number

**Legal basis for processing**

The legal basis for processing your personal information is:

* The Children Act (2006)
* General Data Protection Regulation (2018)
* Data Protection Act (1998)
* Equalities Act (2010)
* Early Education and Childcare (2018)

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you to process early education and childcare funding claims, or we may be prevented from complying with our legal obligations under; The Children Act (2006), General Data Protection Regulation (2018), Data Protection Act (1998), Equalities Act (2010) ,Early Education and Childcare (2018).

**Information sharing/recipients**

We may share personal information about you with the following types of organisations:

* Social Care – referral to services
* Local Authority – referral to services
* Police – to report a safeguarding concern
* MASH (Multi-Agency Safeguarding Hub) – to report a concern
* Department for Education (DfE) – to report uptake of funded childcare
* Neighbouring Local Authorities – to report and check cross border funded childcare
* Early Education and Childcare Providers – to process funding claims

As well as information collected directly from you, we also obtain or receive information from:

* Social Care
* Local Authority
* Police
* MASH
* Department for Education
* Neighbouring Local Authorities
* Early Education and Childcare Providers

**Data Transfers beyond EEA**

We will only send your data outside the European Economic Area ('EEA'):

* with your consent, or
* to comply with a lawful and legitimate request, or
* if we use service providers or contractors in non EEA countries.

If we do transfer your information beyond the EEA, we will make sure that it is protected in the same way as if it was being used in the EEA. We will use one of these safeguards:

* Transfer it to a non EEA country with privacy laws that give the same protection as the EEA. Learn more on European Commission - Data protection.
* Put in place a contract with the recipient that means they must protect it to the same standards as the EEA. More information is available on European Commission - Data protection.
* Transfer it to organisations that are part of the Privacy Shield. This is a framework that sets privacy standards for data sent between the US and EU countries. It makes sure those standards are similar to what is used within the EEA. You can find out more about the Privacy Shield on European Commission - EU-US privacy shield.

If we propose to make a transfer in response to a lawful and legitimate request we will normally tell you in advance unless there are compelling reasons, such as law enforcement or, reasons of safety which justify not doing so.

**Automated Decisions**

For this service:

* We may make automated decisions about in respect of; 30 hours eligibility, Early Years Pupil Premium (EYPP) eligibility, Income Deprivation Affecting Children Index (IDACI) funding eligibility or 2 year old funding eligibility.

**Data retention/criteria**

We will only keep your personal information for as long as the law specifies or where the law does not specify this, for the length of time we would need to hold onto your personal information having regard to the purpose for which it was obtained, the nature of the information, industry practice and the all surrounding circumstances including historical.

**Rights of individuals**

You may exercise the rights listed below in relation to the council's use of your personal information. Some rights are absolute and others are not. To find out more about how these rights apply in particular circumstances, please visit [Information Commissioner's Office - Guide to the General Data Protection Regulation](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/).

To exercise these rights, please contact us (see below).

* Access - You may request a copy of the personal information we hold about you.
* Rectification and erasure - You may request that we rectify or delete any of your personal information if you consider it is incomplete, factually incorrect, processed unlawfully or, is unnecessary or no longer needed.
* Review of automated decision making - Where we use only an automated system or programme that does not involve a human being, you have the right to request that a decision which legally affects you is reviewed by an appropriate officer.
* Objection - You may object, at any time, to your personal information being processed. This applies to processing:
  + carried out in performance of our statutory functions or in the public interest, including 'profiling' , whether or not profiling is partly or fully automated;
  + for direct marketing purposes
* Restriction of processing - You may request restriction of processing (quarantining) of your personal information for certain reasons, such as, for example:
  + if you have objected to the processing or asked us for erasure and we need time to consider your request and let you know our decision
  + you require us to retain your information for the establishment, exercise or defence of your own legal rights
* Data portability - In defined circumstances either where the processing relies on your consent or arises out of a legal contract, you may request we supply a copy of personal information that you have provided to us in a portable and machine readable format.
* Right to withdraw consent - 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 wish to exercise your rights (as outlined above) or to raise a concern about the handling of your personal information by the council, please contact us (see below)

Whether you are exercising your rights or raising a concern, you will normally need to include documents that prove your identity as well as a clear and precise description of your request or concern. We will process requests in accordance within the legislative framework and the statutory time scales and inform you should an extension of time be necessary.

**DPO contact information (rights/complaints)**

Jane Whittam

Assistant Team Manager (information)

Children Young People & Culture

Bury Council

[j.whittam@bury.gov.uk](mailto:j.whittam@bury.gov.uk)

**Complaints (ICO)**

If you are not satisfied with the way we have answered a request from you or handled your personal information, you have the right to make a complaint to the Information Commissioner who may be contacted at: [Information Commissioner's Office - Report a concern](https://ico.org.uk/concerns/)

**Updates (notice)**

We may update or revise this Privacy Notice at any time so please refer to the version published on our website for the most up to date details <https://www.theburydirectory.co.uk/kb5/bury/directory/advice.page?id=g-Q2zMGqvSs>