

**DURHAM UNIVERSITY DAY NURSERY  
PRIVACY NOTICE**

Durham University Day Nursery performs a valuable role in caring for babies and children. In order to carry out our responsibilities, the Nursery processes personal data. Please read the privacy information below – Part 1 comprises Durham University’s Generic Privacy Notice and Part 2 comprises privacy information specific to the activities of the Nursery.

**General Privacy Notice**

Durham University’s responsibilities under data protection legislation include the duty to ensure that we provide individuals with information about how we process personal data. We do this in a number of ways, one of which is the publication of privacy notices. This privacy notice provides a general description of the broad range of processing activity in addition there are tailored privacy notices covering some specific processing activity.

**Data Controller**

The Data Controller is Durham University. If you would like more information about how the University uses your personal data, please see the University’s Information Governance webpages, or contact E-mail: [info.access@durham.ac.uk](mailto:info.access@durham.ac.uk)

**Data Protection Officer**

The Data Protection Officer is responsible for advising the University on compliance with Data Protection legislation and monitoring its performance against it. If you have any concerns regarding the way in which the University is processing your personal data, please contact the

**Data Protection Officer:**

Kristina Holt

Head of Information Governance and University Data Protection Officer E-mail:

[info.access@durham.ac.uk](mailto:info.access@durham.ac.uk)

**Retention**

The University keeps personal data for as long as it is needed for the purpose for which it was originally collected. Most of these time periods are set out in the University Records Retention Schedule.

**What we use your data for**

You have the right to be provided with information about how and why we process your personal data. We will only process data where we have a lawful reason to do so our main reasons are as follows:

Contract	<p>As part of agreements between us we will process personal data for</p> <ul style="list-style-type: none"> <li>- Admission to the university, registration and support for your studies</li> <li>- Academic assessment and progression</li> <li>- Maintaining an academic record including qualifications</li> <li>- Providing access to services including IT, Library and other facilities</li> <li>- Providing ID for security purposes</li> <li>- Administration of payments such as fees</li> <li>- Providing reports to your sponsor (if any) including Student Loans Company</li> <li>- Administration of complaints, disciplinary processes and other similar processes</li> <li>- Provision of accommodation, catering and other services related to accommodating you</li> </ul>
Public Task	<p>We carry out a number of tasks in the public interest including</p> <ul style="list-style-type: none"> <li>- Research</li> <li>- Archiving</li> <li>- Diversity Monitoring</li> <li>- Managing public health risks</li> </ul>

	<ul style="list-style-type: none"> <li>- Managing risks related to public safety or concern to the local community (including reporting crime where we are not required to do so but it is in the public interest to do so)</li> </ul>
Legal Obligation	<p>We are a regulated body which means we are required to collect certain information including for</p> <ul style="list-style-type: none"> <li>- Compliance with tax and immigration requirements</li> <li>- Providing census and fee information</li> <li>- Supporting local authorities on fraud investigation, electoral registration and council tax collection</li> <li>- Reporting to the Office for Students and other regulators</li> <li>- Reporting crime (where we are required to do so)</li> </ul>
Legitimate Interests	<p>We will process data where it is in our legitimate interests to do so including</p> <ul style="list-style-type: none"> <li>- To improve the services we provide to you including organising events that may interest you.</li> <li>- To provide information to you about goods or services we offer</li> <li>- Photographing and recording events around the University including seminars for both training and marketing purposes.</li> </ul>

Where you have the choice to determine how your personal data will be used, we will ask you for consent. Whenever you give your consent for the processing of your personal data, you receive the right to withdraw that consent at any time.

In addition, we may provide you with a privacy notice in relation to specific uses of your data where this is appropriate. A privacy notice is a verbal or written statement that explains how we use personal data.

### **Sensitive personal data**

Some of the information we collect is sensitive personal data (also known as special categories of data). In particular, we may process personal data that relates to your health (such as your medical information for example to help support you), and any criminal convictions and offences (for reasons of safeguarding). If we use sensitive personal data, we will usually do so on the legal basis that it is in the wider public interest, to establish, take or defend any legal action or, in some cases, that we have your permission (consent).

### **How we collect your data**

Most of the personal information we process is provided to us directly by you. Often this will be actively provided by you for example by you filing in a form. In other situations, your data may be gathered with less active participation by you, for example we may record a Teams video call for business purposes or capture device ID for technical reasons when connecting with the University network. You will be provided with notification of this.

We may also receive personal information indirectly:

- For the purpose of student admissions and on-going administration sources, include UCAS, funding bodies such as the Student Loans Company, US Loans, parents/guardians and schools/colleges.
- For the purpose of support sources, include: medical, health care professionals, psychologists, psychiatrists or those providing you with evidence of your disability or mental health.
- For the purpose of conducting research data set sources might include: data in the public domain, data from domestic and international governmental bodies including Department for Health, Department for Education, local authorities, other Universities.

When we obtain personal data about you from third party sources, we will look to ensure that the third party has lawful authority to provide us with your personal data.

We may also share information with the same set of organisations for the purposes mentioned above.

### **Accessing your personal data**

You have the right to be told whether we are processing your personal data and, if so, to be given a copy of it. This is known as the right of subject access.

You can find out more about this right on the University's Subject Access Requests webpage. Right to rectification If you believe that personal data, we hold about you is inaccurate, please contact us and we

will investigate. You can also request that we complete any incomplete data. Once we have determined what we are going to do, we will contact you to let you know.

### **Right to erasure**

You can ask us to erase your personal data in any of the following circumstances:

- We no longer need the personal data for the purpose it was originally collected
- You withdraw your consent and there is no other legal basis for the processing
- You object to the processing and there are no overriding legitimate grounds for the processing
- The personal data have been unlawfully processed
- The personal data have to be erased for compliance with a legal obligation
- The personal data have been collected in relation to the offer of information society services (information society services are online services such as banking or social media sites). Once we have determined whether we will erase the personal data, we will contact you to let you know.

### **Right to restriction of processing**

You can ask us to restrict the processing of your personal data in the following circumstances:

- You believe that the data is inaccurate, and you want us to restrict processing until we determine whether it is indeed inaccurate
- The processing is unlawful, and you want us to restrict processing rather than erase it
- We no longer need the data for the purpose we originally collected it, but you need it in order to establish, exercise or defend a legal claim and
- You have objected to the processing, and you want us to restrict processing until we determine whether our legitimate interests in processing the data override your objection.
- Once we have determined how we propose to restrict processing of the data, we will contact you to discuss and, where possible, agree this with you.

### **Making a complaint**

If you are unsatisfied with the way in which we process your personal data, we ask that you let us know so that we can try and put things right. If we are not able to resolve issues to your satisfaction, you can refer the matter to the Information Commissioner's Office (ICO). The ICO can be contacted at: Information Commissioner's Office, Wycliffe House Water Lane, Wilmslow, Cheshire, SK9 5AF  
Telephone: 0303 123 1113  
Website: Information Commissioner's Office.

## **PART 2 - PRIVACY NOTICE FOR THE NURSERY**

This section of the Privacy Notice provides you with the privacy information that you need to know before you provide personal data to Durham University Day Nursery for the particular purpose(s) stated below.

### **Type(s) of personal data collected and held by Durham University Day Nursery and method of collection:**

- The data we collect is about Children, Parents/Guardians including:
  - Contact and identification information (such as name, date of birth, address, telephone numbers and e-mail addresses). Background information (such as ethnicity, language, nationality, country of birth and free childcare eligibility). Attendance information (such as sessions attended, number of absences and absence reasons). Special Educational Needs information. Medical needs information.
  - Observations for teaching and learning information.

### **What we use your data for**

You have the right to be provided with information about how and why we process your personal data. We will only process data where we have a lawful reason to do so our main reasons are as follows:

Contract	We need to collect and use this information as part of the contract between You and Us to deliver childcare
Public Task	We carry some tasks in the public interest including Diversity Monitoring and managing public health risks
Legal Obligation	We also need to comply with relevant legislation for processing of children's information, such as the Childcare Act 2004 and the Children and Families Act 2014
Consent	The majority of information you provide is mandatory but some is required on a voluntary basis, for example permission slips for day trips. We will always ask for consent to record any such information and will respect your right to refuse consent

### **Sensitive personal data**

Some of the information we collect is sensitive personal data (also known as special categories of data). In particular, we may process personal data that relates to health (such as medical information for example to help support you or your child), and demographic information for reasons of diversity monitoring. If we use sensitive personal data, we will usually do so on the legal basis that: it is in the wider public interest, to establish, take or defend any legal action or, in some cases, that we have your permission (consent).

### **How personal data is stored by the Nursery:**

- All information is held securely with physical and electronic access controls to safeguard the information.
- Your personal information will be handled securely and shared only by those specially authorised and will not be kept longer than is necessary.
- When your child leaves the nursery the child's learning journal is given to the parents.
- On registration you will complete forms which hold information about your child and also complete consent forms.

### **How personal data is processed by the Nursery:**

- To support your child's learning and development.
- To monitor and report on progress.
- To provide appropriate care to support needs.
- To comply with the law regarding data protection.
- To gain additional funding for nursery provision from the local authority.

### **Who the Nursery shares personal data with:**

- With your permission information is shared with other agencies to request additional support. Examples include: Paediatrician, Educational Psychologist, Durham County Council Early Years Team, Speech and Language, Health Visitors, Portage Workers, Occupational Therapy Services, One Point.
- All information we collect from you is signed for and you will be made aware of who will receive it, for example the "Parent Declaration Form" is shared with the Local Authority in order to access funding for your child's nursery entitlement and Early Years Pupil premium. Also, following nursery policy, some incident forms are shared with OFSTED, following OFSTED guidelines.
- The only information shared without consent may be through a child protection referral.

**How long personal data is held by the Nursery:**

- Your personal information will be handled securely and shared only by those specially authorised and will not be kept longer than is necessary (University Retention Policy).
- Our Retention Policy follows the best practice recommendations of the National Day Nurseries Association (NDNA).

**How to object to the Nursery processing your personal data:**

- Under Data Protection legislation, anyone with parental responsibility has the right to make a request on behalf of the child to access the child's information.
- To make such a request, please complete the following form held on the University website: <https://www.dur.ac.uk/ig/dp/sar/>

**You also have the right to:**

- Object to processing of personal data that is likely to cause, or is causing, damage or distress
- Prevent processing for the purpose of direct marketing.
- Have inaccurate personal data rectified, blocked, erased or destroyed.
- Claim compensation for damages caused by a breach of the Regulations.

**Please contact the Nursery Manager:**

- Telephone: (0191 33) 48153
- E-mail: [day.nursery@durham.ac.uk](mailto:day.nursery@durham.ac.uk)

**Visitors to our websites/webpages:**

The Durham University Website includes a section "Durham University Day Nursery".

<https://www.dur.ac.uk/university.nursery/>

When someone visits [www.dur.ac.uk](http://www.dur.ac.uk) we use a third-party service, Google Analytics, to collect standard internet log information and details of visitor behaviour patterns. We do this to find out things such as the number of visitors to the various parts of the site. This information is only processed in a way which does not identify anyone. We do not make, and do not allow Google to make, any attempt to find out the identities of those visiting our website. If we do want to collect personally identifiable information through our website, we will be transparent about this. We will make it clear when we collect personal information and will explain what we intend to do with it.

**Use of cookies by the Nursery:**

A cookie is a simple text file that is stored on your computer or mobile device by a website's server and only that server will be able to retrieve or read the contents of that cookie. Cookies allow websites to remember user preferences, choices and selections, such as what's in your shopping basket. Durham University also make use of the Google Analytics service to understand how you navigate around our site.

Durham University do not use cookies to collect personal information about you

**Links to other websites:**

This privacy notice does not cover the links within this site linking to other websites. We encourage you to read the privacy statements on the other websites you visit.

**Changes to this privacy notice:**

We regularly review our privacy information to ensure that it remains accurate and current. We will review and update this privacy information whenever we plan to use personal data for any new purpose. Any changes to this privacy information will be communicated to you.

**Further information:**

**Contact**

- Kim Roberts, Nursery Manager
- Adele Warner, Deputy Nursery Manager
- Hayley Staff, Deputy Nursery Manager

Telephone: (0191 33) 48153

E-mail: [day.nursery@durham.ac.uk](mailto:day.nursery@durham.ac.uk)

Version	Date	Changes	Changed by
Reviewed and updated	June 2022	Reviewed and updated	David Cull, Senior Information Governance Officer
Final Version	June 2022	Approved	David Cull, Senior Information Governance Officer, Kim Roberts, Nursery Manager