



## **PRIVACY NOTICE**

### **Early Learning and Childcare Registration**

#### **Who we are**

Moray Council, Council Office, High Street, Elgin, Moray, IV30 1BX, [moray.gov.uk](http://moray.gov.uk) 01343 543451, is a local authority established under the Local Government etc. (Scotland) Act 1994. We are the Data Controller of the information being collected.

#### **Why we are collecting your personal information**

##### **All funded places:**

Moray Council has a duty under the Children and Young People (Scotland) Act 2014 and the Standards in Scotland's Schools etc. Act 2000 to provide Early Learning and Childcare services for children.

We will collect information from you when you complete the Early Learning and Childcare Registration eform, which is required to access a funded place at an Early Learning Centre or Childcare provider in Moray. This eform will ask for personal information including:

The child's name; date of birth; gender; address; health information; information about the child's ethnicity; national identity; asylum seeker status; religion; number of siblings; languages spoken; information about the child's birth certificate, and, previous early learning and childcare/nursery attended. Personal information about the child's parent's or carers including: names; address; contact information and relationship to the child.

You will also be asked for your preferences on hours/days of attendance, and, which Early Learning Centre or Childcare provider(s). A copy of the child's birth certificate and proof of residence may also be required.

The personal information you provide will be used to determine eligibility for an Early Learning and Childcare place within Moray and allocate placements. It will also be used to assess eligibility for funding towards the placement.

If you do not provide the information the Council will be unable to provide this service to you.

##### **2-3 funded places:**

Personal information is collected on the *2 Year Old Early Learning and Childcare (ELC) Registration* form. This form asks for the same personal information as stated above. Further documentation is required for proof of eligibility – this may include information about Universal Credit, confirmation of relevant benefit entitlement, Guardianship Orders, and, Child Tax Credit and Working Tax Credit.

##### **Information you give us about any additional parent, carer or emergency contact(s):**

Please note that it is your responsibility to inform any additional parent, carer or emergency contact(s) that you have given their contact information to Moray Council for this purpose. Typically this will be a name and contact details, as well as their relationship to the child.

#### **Our legal basis**

Whenever the Council processes personal data we need to make sure we have a legal basis for doing so. We understand the Council's basis in data protection law to be Article 6(1)(e) of the United Kingdom General Data Protection Regulation (UK GDPR) because your personal information is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Council; also Article 6(1)(c) – as the processing is necessary for the Council to comply with its legal obligations under the following legislation:

- The Education (Scotland) Act 1980
- The Children and Young People (Scotland) Act 2014
- Standards in Scotland's Schools etc. Act 2000

Personal data that counts as 'special category data', such as health, ethnicity and religion, must satisfy extra conditions when processed. We understand that our legal basis in data protection law for processing this special category data to be Article 9(2)(b) of the UK GDPR; processing is necessary for carrying out obligations under social security law, as well as Article 9(2)(c); vital interests.

## **Who we share your information with**

We will share the information you have provided with your preferred Early Learning Centre and/or Childcare Provider choice. This sharing is done via a secure online file sharing platform.

This personal data may be shared internally with authorised officers of the Council if having access to personal data is a necessary part of their roles to ensure records are accurate and up to date. It may also be shared with other relevant Council departments where applicable.

The Council may share this personal data with other relevant Council departments and third parties, where we are under a legal obligation to do so. For example this may be with Police, Social Security Scotland, UK Border Agency or other Registered Professional Bodies.

The Council is required by law to protect public funds against fraud. It may share personal data with other relevant Council departments and third parties responsible for auditing and administering public funds, or who otherwise have responsibility for preventing and detecting fraud.

## **How long the information is held for**

Your personal data will be securely stored by Moray Council for a pre-determined length of time. Information is only kept for the minimum amount of time necessary. We maintain a record retention schedule which sets out how long we retain different types of personal data. This is available on our website: [http://www.moray.gov.uk/moray\\_standard/page\\_92820.html](http://www.moray.gov.uk/moray_standard/page_92820.html) (under Section 5 of the Records Management Plan).

The Council stores information within the UK.

## **Your rights**

Moray Council is the Data Controller for this personal data. You have legal rights about the way the Council handles and uses your personal data. These include the right to ask for a copy of it, to ask us to correct it and to ask us to stop doing something with your personal data. As so far as the legislation permits, you also have the right to request the deletion of your data, and to object to the processing. For more information about these rights, please see the Information Management pages on the Council's website here: [http://www.moray.gov.uk/moray\\_standard/page\\_41220.html](http://www.moray.gov.uk/moray_standard/page_41220.html). Alternatively, email the Council's Data Protection Officer at: [dataprotection@moray.gov.uk](mailto:dataprotection@moray.gov.uk)

You also have the right to make a complaint to the Information Commissioner's Office. They are the body responsible for making sure organisations like the Council handle your personal data lawfully.

Information Commissioner's Office

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Telephone: 0303 123 1113      Website: <https://ico.org.uk/>