

Privacy /Fair Processing Notice – States Early Years Team

1. About the SEYT

The States Early Years Team's ('SEYT') is one of several education support services available within the Committee *for* Education, Sport & Culture. The SEYT works closely with schools, children, families, private, third and charitable sectors and other States departments with a shared vision and overall aim: to provide the very best education and care for children in the Bailiwick.

Children who experience high quality early years provision are well placed to achieve better outcomes throughout their school life and beyond into employment.

SEYT has a statutory duty to register, regulate and inspect day care providers and childminders under The Child Protection (Guernsey) Law, 1972 and The Children (Guernsey and Alderney) Law, 2008.

2. About this notice

SEYT is required to process personal data in order to deliver its services, and this fair processing notice provides a full account of the SEYT's processing activities as per the requirements of the Data Protection (Bailiwick of Guernsey) Law, 2017 (the Law).

Please read it carefully and if you have any questions regarding your personal data, or its use, please contact us directly or speak to our Data Protection Officer.

What do we mean by personal data?

'Personal data' has a very broad legal definition, it is: *'any information relating to an identified or identifiable [living] individual'*.

The scope of what 'personal data' is expands even further when you consider that it includes both information about people as well as opinions expressed about people. It also includes anonymised data that could identify people if it was combined with other information.

What is processing?

Throughout this notice, we refer to the term 'processing'. In terms of personal data, this means any action that is performed on the data; examples of processing include:

- Collection
- Recording
- Organisation
- Structuring
- Storage
- Alteration
- Retrieval
- Consultation
- Use
- Disclosure
- Dissemination
- Restriction
- Erasure
- Destruction

3. The Data Protection Law

SEYT processes your personal data in line with its core mandate. The registered data controller for all activities summarised within this notice is the Committee *for* Education, Sport & Culture ('ESC') and SEYT is acting on behalf of ESC. SEYT acknowledges its obligations as per the Data Protection (Bailiwick of Guernsey) Law, 2017 ('the Law'), which provides a number of requirements in terms of processing activities involving personal data.

SEYT acknowledges the general principles of processing, which require that personal data shall:

1. Be processed fairly, lawfully and transparently
2. Be processed for a specified and lawful purpose(s) and must not be further processed in any incompatible manner (Purpose Limitation)
3. Be adequate, relevant and not excessive for those purposes (Minimisation).
4. Be accurate and, where necessary, kept up to date (Accurate)
5. Not be retained for longer than is necessary for the purpose for which it is processed (Storage Limitation)
6. Be processed in a manner that ensures its security appropriately, including protecting against unauthorised or unlawful processing, loss, destruction or damage (Integrity and Confidentiality)

In addition to this, SEYT is responsible for ensuring that data is processed in accordance with the rights of individuals and must be able to demonstrate compliance with the data protection principles (Accountability).

As well as the general principles of processing, SEYT acknowledges the rights of the data subject and more information in relation to these can be found by visiting www.gov.gg/DP

4. Contact details

The contact details of the data controller are as follows:

States Early Years Team, Le Rondin School & Centre, Rue des Landes, Forest, GY8 0DP

Tel: 01481 228313

Email: seyt@gov.gg

The contact details for SEYT's Data Protection Officer are as follows:

Data Protection Officer for Education, Sport and Culture

Email: data.protection@gov.gg

Tel: 01481 220012

5. The types of personal data we collect and use

In order to provide our services, the controller collects the following personal data:

Basic Personal Data:

- Name of the data subject, the data subject's parents/guardians and the data subject's siblings;
- Date of birth of the data subject and data subject's siblings;
- Address of the data subject and data subject's family or other residents who reside in house (childminder only) ;
- Proof of address (utility bill or lease/purchase agreement);
- Proof of identity (driving licence/passport of parents/guardians and birth certificate/passport of data subject);
- Gender of the data subject;
- Qualifications of data subject;
- Registration forms and references for data subjects;
- First language of the data subject;
- Contact Details (landline/mobile telephone number and email address) of the data subject and data subject's parents or guardians;
- Emergency contact details of family member/s; and
- Doctor's name and surgery of the data subject.

Special Category Data:

- Special educational requirements;
- Medical/Health information (i.e. allergies, medical conditions, medication etc.)
- Criminal convictions; and
- Involvement with Children and Family Community Services.

6. Why we collect and use personal data

SEYT uses the information that it collects for multiple purposes which are linked to its core mandated responsibilities as per Section 1 of this notice.

Personal data is essential for SEYT to perform its function. Whilst the majority of personal data provided to us is mandatory, some of it requested is on a voluntary basis. In order to comply with the Law, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

SEYT processes personal data for the following purposes:

- In order to register, regulate and inspect day care providers and childminders as per The Child Protection (Guernsey) Law, 1972 and The Children (Guernsey and Alderney) Law, 2008;
- To facilitate the process of pre-school funding;
- To provide Early Years Quality Assurance through support, challenge and Continuing Professional Development for all preschools, nurseries, childminders and schools;
- For the safeguarding of children's welfare and the provision of pastoral care, welfare and health care services.

7. Our lawful basis for processing

The lawful basis for collecting and processing each category of personal data and special category data is dependent upon the specific processing activity in question.

However, under the Law, the lawful bases we rely on for the majority of processing are:

- The processing is necessary for the exercise of a right, power or duty imposed by law specifically:
 - The Child Protection (Guernsey) Law, 1972;
 - The Education (Guernsey) Law, 1970;
 - The Children (Guernsey and Alderney) Law, 2008; and
 - The Data Protection (Bailiwick of Guernsey) Law, 2017.
- The processing is necessary for the exercise or performance of a public function or task carried out in the public interest by a public authority;
- The processing is necessary for a health or social care purpose;
- The processing is necessary for the performance of a contract;
- The processing is necessary to protect the vital interests of the data subject or other individual.

For a full list of the SEYT's data processing activities, please contact us and we will be happy to provide you with a list of all data processing undertaken by the SEYT and the lawful basis used for each specific processing activity.

SEYT will ensure that all personal data that it holds is accurate and kept up-to-date, and any personal data that is inaccurate will be erased or corrected without delay.

8. How we collect data

We collect most of the personal data we process directly from data subjects. However, in some cases, we collect data from third parties, such as;

- Health professionals;
- States of Guernsey schools;
- Other areas of the States of Guernsey who may be working with the data subject and/or specific pupils we are supporting;
- Members of the public who contact us to report whistleblowing concerns.

No personal data is collected from any publicly available source.

9. Sharing of personal data

In some circumstances, personal data held by SEYT may be transferred to another controller within the States of Guernsey or another associated third party.

SEYT will only share data when there is a lawful basis to do so. We do not transfer data outside of the European Economic Area unless we are satisfied that personal data will be afforded an equivalent level of protection. Examples of regular data sharing activities are detailed below:

Sharing within the States of Guernsey

- The Committee *for* Health & Social Care: medical professionals such as school nurses, Guernsey Therapy Group (paediatric physiotherapy), occupational therapy, speech and language therapy, Children and Family Community Services e.g. MASH, health visiting, school nurses;
- Law Enforcement;
- Fire and Rescue Service
- The Committee *for* Education Sport & Culture: education support and inclusion services e.g. the Schools Attendance Service, Schools Admissions, The Communication, Interaction and Autism Service, Education Psychology Service, The College of Further Education, the Sensory Support Service Hearing & Vision, States schools;
- Housing Department;
- Health and Safety Executive (HSE)
- The Committee *for* Employment & Social Security;
- Scrutiny Management Committee
- The Committee *for* the Environment and Infrastructure
- The Committee *for* Home Affairs
- The Committee *for* Economic Development
- Island Archives

Sharing with external third parties

- Education support services, such as Dyslexia Day Centre, Youth Commission, Sports Commission, Guernsey Arts Commission, Autism Guernsey etc.
- Third party system providers and applications: some of our systems are provided by platforms and cloud storage providers, IT support service.
- The Health Improvement Commission;
- Grant aided colleges: Elizabeth College (Acorn House), The Ladies College Pre-prep, Blanchelande College.

For a full list of SEYT's data sharing activities, please contact us directly and we will be able to provide you with a list of all instances where your data is shared by us and the lawful basis for doing so.

10. Storage and retention of personal data

Personal data and special category data will be retained in accordance with the States of Guernsey Records Management Policy and the SEYT Retention and Disposal Schedule.

For more information in relation to the retention of your personal data, please contact the Data Protection Officer for Education, Sport & Culture.

11. How we keep your data safe

All personal data held by SEYT is protected and securely stored and, in order to prevent unauthorised or unlawful processing, the controller has put in place suitable physical, digital and managerial procedures to safeguard and secure the information that is collected. Access to electronic or paper records is tightly controlled, and all employees are vetted in a manner commensurate with the role that they are expected to undertake. Protocols are followed to ensure that employees only have access to documents as required to undertake their role. Access to records is monitored and effectively managed.

12. Requesting access to your personal data

Under the Law, you have the right to request access to personal information we may hold on you. To make a request for your personal information please contact us directly or speak to our Data Protection Officer, whose contact details are at the top of this notice.

For more information about your rights under the Law, please visit www.gov.gg/DP

13. Withdrawal of consent and the right to lodge a complaint

SEYT do not process any personal data under the basis of consent.

14. Last updated

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated on 8th July 2021.