

## **Data Privacy – 3&4 year olds early education entitlements**

North Tyneside Council administer the following Government funded early years entitlements for 3 and 4 year olds:

- Universal 15 hours;
- Extended 15 hours for eligible working parents (i.e. 30 hours entitlement);
- Early years pupil premium; and
- Disability Access Fund.

In order to administer these entitlements the Authority is required to collect and process information about applicants and their child(ren).

Childcare providers gather the information required by the Local Authority to administer and / or determine eligibility for funding, using parent declaration forms (or equivalent). Providers enter this information into North Tyneside Council's online Early Years Portal, which is operated by our partner Capita.

Capita are acting as our data processor and the information entered into the Early Years Portal will be returned to the Local Authority. This information will then be used to check eligibility and / or administer funding. Information will be shared with the Government's eligibility checking service to check eligibility for 30 hours and early years pupil premium funding.

The information about children and parents is retained by the Local Authority to administer funding to the childcare setting, where a child takes up their funded entitlement.

The information collected regarding children includes:

- personal identifiers and contacts (such as name, contact details and address)
- characteristics (such as ethnicity, language although both are optional).
- information about looked after children status, where this is the basis for funding (such as court orders)
- special educational needs status
- attendance (weeks and hours claimed)

The information collected regarding parents / carers includes:

- personal identifiers and contacts (such as name, national insurance number, contact details and address)
- information on parental responsibility

- Information required to assess eligibility for 30 hours / early years pupil premium entitlements:

Where an eligibility check is required for the 30 hours entitlement or early years pupil premium, the following information will be collected regarding parents / carers:

- Name;
- date of birth; and
- National Insurance number or their National Asylum Support Service number.

When checking the validity of a 30 Hour Childcare eligibility code / Disability Access Fund Application and / or early years pupil premium claim, the provider must receive prior written consent from the parent / carer.

The information requested is used to process children's funding for 3 and 4 year old early years entitlements and / or to check eligibility for early years pupil premium and 30 hours funding.

North Tyneside Council will also use the information we hold for the legitimate interests of monitoring quality, measuring impact, maximising uptake, audit, prevention of fraud and for dealing with any enquiries or complaints.

Parents / carers do not have to supply this information, but the Authority will not be able to do process a claim for 3 and 4 year old funding without the requisite information.

By providing information parents / carers are confirming that the information can be gathered by our partner Capita and shared with the local authority, current and future childcare and early education providers and the Government's eligibility checking service to establish eligibility for funded childcare offers, the Department for Education, any other Local Authority where the child attends. Information may also be shared with Public bodies responsible for the administration or auditing of public funds.

The Local Authority will only share personal details for the purposes above, unless the law requires or permits the sharing of data for another reason.

Information provided will be the responsibility of North Tyneside Council as Data Controller.

**Under the General Data Protection Regulation (GDPR) the authority rely on the following legal bases for processing personal information, GDPR Article 6 (1) conditions**

c) Processing is necessary for compliance with legal obligations to which the controller is subject;

e) Processing is necessary for the performance of tasks carried out in the public interest or in the exercise of official authority vested in the controller

**Under the General Data Protection Regulation (GDPR) the authority rely on the following legal bases for processing personal information, GDPR Article 9 (2) conditions**

f) Processing is necessary for the establishment, exercise or defense of legal claims or whenever courts are acting in their judicial capacity

g) Processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject

The personal data supplied will be retained for as long as is necessary to meet the authority's statutory requirements and legitimate interests, in accordance with the Authority's data retention policies. The data will then be disposed of in accordance with the Authority's policies and procedures.

Parents / carers can withdraw consent at anytime by emailing [EYCommissioning@northtyneside.gov.uk](mailto:EYCommissioning@northtyneside.gov.uk).

Parents / carers can find out more about North Tyneside Council's approach to data protection and rights regarding personal information, including its full Data Privacy Notice [here](#). If you have concerns about the way data is collected or being used, please email [foiofficer@northtyneside.gov.uk](mailto:foiofficer@northtyneside.gov.uk).

## **Electronic Communications**

Unless encrypted, email messages passing over the internet are not secure and could be intercepted and read by someone else. Parents and carers should consider this when deciding on the information to include in any email messages intended for North Tyneside Council

**Monitoring:** The Council automatically monitors both outgoing and incoming email communications. Parents / carers should therefore be aware that emails sent to a person within the Council will be subject to monitoring for lawful business purposes and will be stored and disposed of in accordance with the Council's archiving policies

**Access:** As a public authority, the Council is subject to the provisions of the Freedom of Information Act. Under this legislation the Council may be required to disclose the content of an email (or a response to it) unless the information it contains is protected from disclosure under an exemption in the Act.