Kenilworth Nursery School
&
Whitnash Nursery School

"Recognising and valuing the uniqueness of every child"

Privacy Notice for Children, Parents, Carers & Staff
How we use your information
2026/27

What is a Privacy Notice?

This notice explains what personal information we collect, why we use it, who we share it with and how you can exercise your rights. It covers prospective, current and former children and their families, staff and job applicants, and emergency contacts.

Our framework is the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018, as amended by the Data (Use and Access) Act 2025. Website cookies or any separate CCTV service require their own specific information where applicable.

Who is responsible for your information?

The governing body of Kenilworth Nursery School and Whitnash Nursery School is responsible for the schools' processing of personal information as data controller. The headteacher oversees day-to-day arrangements.

The local authority and Department for Education may be separate controllers for information they receive and use for their own statutory functions.

School Contact Emails

Kenilworth: kenilworthnsoffice@welearn365.com
Kenilworth Nursery School and Early Years Teaching School Bertie Road, Kenilworth, Warwickshire CV8 1JP

Whitnash: admin1003@welearn365.com
Whitnash Nursery School Nursery Lane Leamington Spa Warwickshire CV31 2PW

School Data Protection Officer

School Data Protection Officer, Warwickshire Legal Services, Warwickshire County Council, Shire Hall, Market Square, Warwick, CV34 4RL.
Email: schooldpo@warwickshire.gov.uk

Please identify the school your enquiry concerns. You can also contact the school office or headteacher directly.

What we collect –
Information about children and families

Identity and contact details: child's name, date of birth, address, identifiers such as a unique pupil number where allocated, and parent/carer and emergency contact details.

Family and admissions information: parental responsibility, authorised collection arrangements, applications, attendance, sessions booked and relevant family circumstances.

Learning information: observations, developmental assessments, interests, progress, support plans, transition information and photographs or recordings used for learning records.

Health and support information: allergies, medical conditions, medication, accidents, care routines, disabilities, special educational needs and professional advice.

Funding and financial information: eligibility evidence for funded entitlements, early years pupil premium or disability access funding where applicable; parent identifiers needed for checks; invoices and payment records where services are charged.

Safeguarding and pastoral information: concerns, referrals, contact with professionals, relevant court orders and family support records. These may include sensitive information about family members.

Other relevant information: ethnicity, home language, religious requirements, communications, complaints, consent choices and records of information requests.

Health, racial or ethnic origin, religious beliefs and some other information have extra protection as "special category" data. Sex, age and gender are not, by themselves, special category data. Criminal offence information is separately protected.

Where information comes from

We receive information from you, your child and our own observations and records. Where relevant, we also receive it from previous settings, receiving schools, Warwickshire County Council, health visitors, speech & language therapists, social care, safeguarding partners and other authorised professionals. We provide this notice when collecting information and where it comes from others, within the legal timescales unless a lawful exception applies.

What you need to provide

We explain on forms which details are required by law, needed to deliver a service or optional. Without necessary contact, health or eligibility information, we may be unable to arrange care safely or confirm funding. We explain the practical consequences and discuss support; optional choices are not conditions of a funded place. Please tell us when your details change and direct other named adults to this notice.

Why we use children and family information

We use only information necessary for the purpose. The following are the principal lawful bases; the relevant basis for each activity is recorded in our processing records. Consent is not a blanket permission for all nursery processing.

Purpose	**Principal lawful basis**
Admissions, attendance, educational provision, developmental assessment, inclusion and transitions	Public task: Article 6(1)(e), supported by the schools' education functions under the Education Act 2002 and applicable education law.
Statutory records, census returns, funding checks and safeguarding duties	Legal obligation: Article 6(1)(c), where a specific duty applies; public task where relevant. Applicable requirements include education data-collection law, the Childcare Act 2006, statutory EYFS requirements and safeguarding legislation.
Communicating with families, managing concerns and coordinating professional support	Public task: Article 6(1)(e); legal obligation for applicable statutory requirements.
Paid additional services and billing	Contract: Article 6(1)(b), only where necessary for the parent's service contract; legal obligation for required financial records.

Purpose	Principal lawful basis
Optional publicity photographs, videos and identifiable promotional material	Consent: Article 6(1)(a). Separate choices identify the purpose and audience. Refusing does not affect provision.
Responding to a life-threatening emergency	Vital interests: Article 6(1)(d), where necessary; routine health records use the appropriate public task or legal obligation basis.

Extra protection for sensitive information

Special category processing needs both an Article 6 basis and an Article 9 condition. Necessary statutory education or equality functions may use substantial public interest under Article 9(2)(g) and Schedule 1 paragraph 6 of the Data Protection Act 2018; safeguarding children may use paragraph 18. We apply these only where their conditions are met and maintain an appropriate policy document where required.

Article 9(2)(c) applies to vital-interest emergencies only where the person cannot physically or legally consent. Explicit consent under Article 9(2)(a) is used only for genuinely optional sensitive processing. An ordinary parental permission form is not a substitute for identifying a lawful condition.

Criminal offence data, if relevant to safeguarding, requires Article 10 authority and an applicable legal condition. We record that condition and restrict access.

Sharing children and family information

We share relevant information securely where necessary and lawful. Receiving a request does not automatically authorise disclosure. We check its purpose, authority and scope. Recipients depend on your circumstances.

Recipient	Why information may be shared
Warwickshire County Council	Admissions or education support, funded entitlement and eligibility checks, SEND services, safeguarding and statutory returns.
Department for Education	Required pupil or early years data collections: relevant identifiers, demographic, attendance, SEND and funding data, as specified by the applicable return.
Receiving schools or other education settings	Relevant learning, support and transition information; safeguarding records through the designated safeguarding leads where appropriate.
Health and SEND professionals	Necessary information for care, referrals, assessment and support, including speech and language services, health visitors and specialist teams.
Social care, safeguarding partners, police or emergency services	Protection of children, lawful investigations, referrals and emergency response.

Recipient	Why information may be shared
Ofsted, auditors, legal advisers and insurers	Lawful inspection, audit, advice, claims and accountability, limited to relevant information.
Authorised IT, administration and learning-record providers	Secure systems, communications and records under appropriate contractual and security arrangements. See the provider details below.

We may share safeguarding information without consent where a lawful basis applies and this is necessary to protect a child. We do not promise confidentiality that would prevent safeguarding action. Families will normally be informed unless doing so would increase risk or compromise a lawful investigation.

DfE and other controllers

DfE is responsible for its own use of information received through statutory returns, including education administration, funding, statistics and authorised research. Its personal information charter links to the relevant notices and explains onward sharing and rights:

https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter.

Our actual systems and optional publication
[Insert the names of the school management, Learning Journals, parent communications and other relevant providers; describe the information each receives and link to its privacy information. Confirm relevant statutory return names and data fields.]

Optional publicity may make agreed images visible to website, newsletter, social media or press audiences. We explain the risks and obtain the relevant permission first. Learning observations and internal identification have separate purposes and legal bases. We do not sell children's or families' information.

What we collect and why -
Information about staff and applicants

We collect identity and contact details, date of birth, National Insurance and teacher numbers where relevant, qualifications, employment history, references, right-to-work checks, DBS and other safer recruitment results; contracts, pay, bank and pension details; attendance and absence; emergency contacts; training, appraisal, conduct, grievance and safeguarding records. We also hold relevant health, disability, occupational health and equality monitoring information.

Sources include you, referees, previous employers, recruitment agencies, DBS, the local authority, relevant professional bodies, occupational health providers and our own employment records. We tell applicants what checks are required. Required details enable lawful recruitment, safe deployment and payroll; optional monitoring or publicity choices are identified separately.

Purpose	Basis and sensitive-data condition where relevant
Contract administration, pay, benefits and necessary pre-contract steps	Article 6(1)(b), contract; Article 6(1)(c) for tax, pension and other statutory obligations.

Purpose	Basis and sensitive-data condition where relevant
Safer recruitment, right to work, DBS, safeguarding and statutory workforce returns	Article 6(1)(c) or (e), according to the duty. Criminal offence data needs Article 10 authority and an applicable DPA 2018 condition; it is not ordinary contract data.
Absence, reasonable adjustments and employment obligations	Article 6(1)(c) or (b) as applicable; Article 9(2)(b) and Schedule 1 paragraph 1 for necessary employment, social security or social protection processing.
Occupational health assessments by qualified providers	Appropriate Article 6 basis; Article 9(2)(h) and Schedule 1 paragraph 2 where the health-purpose and confidentiality conditions apply.
Management, training, appraisal and legitimate workforce administration	Article 6(1)(e) for necessary public education functions; Article 6(1)(b) for necessary contractual processing.
Statutory or appropriate equality monitoring	Relevant Article 6 basis; Article 9(2)(g) with an applicable Schedule 1 condition, such as paragraph 8 for equality monitoring or paragraph 6 for statutory functions. Optional fields are identified.
Genuinely optional promotional photographs	Article 6(1)(a), consent. Consent is not normally suitable for necessary employment processing.

Who receives staff information
Relevant information may go to Warwickshire HR and payroll, HMRC, pension administrators, DfE, DBS, Ofsted, Educatum HR advisers, occupational health providers, staff absence insurers and legal advisers.

DfE workforce privacy information:
https://www.gov.uk/government/publications/privacy-information-education-providers-workforce-including-teachers

Staff personal email addresses are not routinely given to families; work contacts are used where necessary for school functions.

Your rights and how to contact us
These rights belong to the individual, including a child. Their application depends on the lawful basis and legal exemptions. You can contact the school or DPO without using a special form.

- *Access*: ask whether we hold your personal information and request a copy, with information about how it is used.
- *Correction*: ask us to correct inaccurate information or complete incomplete information.
- *Erasure or restriction*: ask us to delete information or limit its use where the legal conditions apply. Required education, safeguarding or employment records cannot always be deleted on request.
- *Portability*: obtain or transfer certain information where processing is automated and based on consent or contract. This does not normally apply to statutory education records.
- *Withdraw consent*: change an optional consent choice at any time by contacting the school. This does not invalidate earlier lawful processing or stop processing required on another basis. We explain what can be removed and any limits once material has been distributed.

Your right to object

You can object, for reasons relating to your situation, to processing based on public task or legitimate interests where applicable. We must stop unless we demonstrate an overriding legal justification or need the information for legal claims. You can object to direct marketing at any time; that processing must stop. There is no requirement to demonstrate damage or distress.

Requests concerning a child

A parent or carer may help a young child exercise their rights. We check identity, parental responsibility or other authority, the child's understanding, best interests and any relevant restrictions. Parental access is not automatically unrestricted; information about other people or material covered by a lawful exemption may be withheld. We explain the reason where we can.

We normally respond to rights requests without undue delay and at least within one month. Where permitted, if a request is complex, this may take up to two months (we tell you within the initial month). Any lawful pause for necessary clarification or identification is explained. Requests are usually free, subject to the limited exceptions allowed by law.

Complaints

You can make a data protection complaint verbally, by email or in writing to the headteacher or DPO using the contacts on page 1. We will help you communicate your concern, acknowledge it within 30 days, investigate without undue delay, keep you informed and explain the outcome. This is separate from the one-month deadline for rights requests.

You may complain to the UK data protection regulator (ICO):
https://ico.org.uk/make-a-complaint/ or 0303 123 1113.
You can also seek a judicial remedy and compensation where the legal conditions are met.

Keeping information secure

We use access controls, secure storage, staff training and appropriate contracts to protect information. Paper and electronic records are limited to authorised people who need them. We assess suppliers and sharing arrangements. If a personal data breach occurs, we assess the risk and notify the regulator and affected individuals where legally required (see the Cyber Security Policy).

How long information is kept

We retain information only for as long as necessary for its purpose and applicable legal obligations, then securely delete it, anonymise it or transfer it appropriately. Our approved retention schedule sets category-specific periods. Sector guidance informs decisions but is not itself a statutory retention requirement.

Record group	Criteria for retention and disposal
Child learning and education records	Provision and transition needs, statutory education requirements and the approved schedule; relevant records may transfer securely to the receiving setting.
Safeguarding and child protection records	Applicable safeguarding guidance, secure transfer requirements, statutory duties and any investigation or legal hold; these may need longer retention than routine learning records.

Record group	Criteria for retention and disposal
Admissions, funding, attendance and financial records	Required administration, funding audit, financial and legal obligations; remove unnecessary eligibility evidence when its retention purpose ends.
Staff recruitment and personnel records	Recruitment and employment purposes, statutory requirements and relevant claims periods; unsuccessful applications and DBS certificate information have separate restricted retention arrangements.
Images, communications, consent and complaint records	The specific purpose, consent records, complaints handling and applicable audit or legal requirements; review images when their intended use ends.

A little explanation for children

For an adult to read and talk about with a child -

Your nursery grown-ups know your name and how to contact the people who look after you.
We write down things about your learning and what helps you. Sometimes we take pictures of things you do. We use this information to help you learn, play and stay safe. We use information about things such as allergies to help look after you.

We keep your information carefully. Only people who need it to help you or do their job should see it. Sometimes we tell another grown-up, such as your new teacher or someone helping with your health. Sometimes we must tell someone because we need to keep you safe.

If we want to use a picture to tell other people about our nursery, we ask the grown-up responsible for you for permission. You can tell us how you feel about having your picture taken.

You can ask your key person: “What do you know about me?” You can tell them if something is wrong or worries you. Your family can help you ask questions too.

We keep information while we need it. Some information must be kept for longer because the rules say so. Your family can read the full notice or speak to the nursery office if they want to know more.

Helping young children understand

Use short conversations alongside familiar routines: an allergy list helps adults keep you safe; a learning photograph shows something you made; a name helps us know whose work it is. Adapt language and use symbols, signing or other communication support to suit the child. Revisit these ideas as understanding develops. This explanation supports the full notice and does not ask a child to give legal consent.