PRIVACY NOTICE

Early Learning and Childcare (ELC) Registration

Who we are

Moray Council, Council Office, High Street, Elgin, Moray, IV30 1BX, 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 personal data being collected.

Why we are collecting your personal data

All funded places:

Moray Council has a duty under the Children and Young People (Scotland) Act 2014 to provide Early Learning and Childcare services for children.

We will collect personal data from you when you complete the ELC Registration eform to access a funded place at an Early Learning Centre or Childcare provider in Moray. This eform will ask for personal data including, but not limited to:

The child's name; date of birth; sex; 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. Information about the child's parents/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 data you provide will be used to determine eligibility for an ELC place within Moray and allocate suitable placements. It will also be used to assess eligibility for funding towards the placement and to contact you about your application.

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

2-3 funded places:

Personal data is collected on the *2 Year Old Early Learning and Childcare (ELC) Registration* form. This form asks for the same personal data as stated above. Further documentation is required for proof of eligibility; this includes confirmation of relevant benefit entitlement, Guardianship Orders and Care Experienced parents.

Personal data you give us about other people

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.

Personal data we collect from other sources

If a child within a Moray household is (or will be within the next 6 months) anticipated to be eligible for funded ELC at age 2, the Scottish Government may provide us with data including the name of the parent and their contact details (postal address and email address). We will only use this information to contact the household to let them know about their anticipated eligibility and advise them how to apply for a funded placement.

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 data is necessary for the performance of a task carried out in the public interest; providing the entitlement to Early Learning and Childcare is part of our public task under the Children and Young People (Scotland) Act 2014.

Personal data that counts as 'special category data', such as health, ethnicity and religion, must satisfy extra conditions when processed. We understand our legal basis in data protection law for processing this special category data to be Article 9(2)(g) of the UK GDPR as the processing is necessary for reasons of substantial public interest and Schedule 1, Part 2, Paragraph 8 of the Data Protection Act 2018 - Equality of opportunity or treatment.

Who we share this personal data 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.

The information you provide will be entered into the Nursery Application Management System (NAMS), which is part of SEEMiS, Moray Council's Education Management Information System. This is to facilitate the safe electronic storage of pupil records and information.

Your child's details, such as name, date of birth, address and ELC setting, may be shared with NHS Grampian to support your child. Both the Council and NHS Grampian work in partnership, and in line with current legislation, to ensure the team around your child processes your child's personal data appropriately. For more information on how NHS

Grampian process personal information, please see the Privacy Notices available on their website here: nhsgrampian.org/about-us/data-protection/.

When a child moves to a new ELC setting or to school (either within Moray or outwith Moray), we have a legal obligation to transfer their records to the new ELC setting or school.

The Council is required to report statistical information on funded places to the Scottish Government. This statistical information will not identify you, or your child.

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 Services where applicable.

The Council may share this personal data with other relevant Council Services 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 Services and third parties responsible for auditing and administering public funds, or who otherwise have responsibility for preventing and detecting fraud.

How long the personal data 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: www.moray.gov.uk/RetentionSchedules

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: www.moray.gov.uk/InformationRights. Alternatively, email the Council's Data Protection Officer at: IG@moray.gov.uk

If you have a concern about the way the Council has handled your personal data, you can make a complaint to the Council's Data Protection Officer in the first instance; an e-form is available on the Council's website here: www.moray.gov.uk/Complaints

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/
Online: https://ico.org.uk/make-a-complaint/data-protection-complaints/