Services for Young Children (SfYC) –
Early Years Education (EYE) and Funding (Parents)

Privacy Notice

Why do we collect and use this information?

Hampshire County Council is the Data Controller for the purpose of collecting and using information from you and/or your child(ren)'s Early Years Education Setting(s) to fulfil our statutory functions around the provision of early education and childcare, including setting the standards for learning, development and care for children from birth to five and the eligibility, application and validity checking processes for childcare funding.

We collect information about your child(ren) and we may also receive information about you as you claim for funding on behalf of your child(ren). We hold this personal data securely and use it to:

- Support your child(ren)'s teaching and learning
- Monitor and report on his/her/their progress
- Provide appropriate pastoral care: personal social and emotional development and share with other local authorities and/or agencies such as Health as required
- Deliver our statutory duties, which may include sharing with other local authorities and/or agencies as appropriate for safeguarding, fraud prevention, statistical purposes including financial and sufficiency planning
- Carry out statistical analysis
- Contact you regarding your Early Years Education Funding entitlement or claim made by your provider
- Verify your eligibility for funding
- Create reports to send back to your child(ren)'s setting to manage their financial planning i.e. cross checking funding allocations to claims submitted;
- Assess how well your child(ren)'s Early Years Education setting(s) is/are doing; and
- ensure compliance with our obligations under the accuracy principle of the General Data Protection Regulation (Article (5)(1)(d)), making sure our records about you and your family are up to date

CAPITA plc is a data processor for this information for the purpose of delivering a contract to the County Council around the hosting and supporting of the CAPITA One system. The County Council uses the CAPITA One system to store the information provided to us, as identified under this privacy notice. This includes accessing the CAPITA One system to fix any technical issues to ensure the system is fit for use.

The CAPITA system also interfaces via an online secure portal with the Department for Education's Eligibility Checking Service to confirm eligibility for early years entitlements for Extended Hours (30 hours); two year old funding; and Early Years Pupil Premium.

For surveys only - Snap Surveys Limited and Snap Surveys NH, Inc is a data processor for this information for the purpose of delivering a contract to the County Council around the hosting and supporting of the Snap Survey system. The County Council uses Snap Survey to collect information provided to us, as identified under this privacy notice which may include children's data contributed by the Early Years setting. Snap Surveys Limited and Snap Surveys NH, Inc will not disclose our Survey Data to anyone else, unless they are required to do so by law. Snap Surveys Limited and Snap Surveys NH, Inc privacy policy

The following sections provide further detail around the information we process setting out what allows us to do this (lawful basis), who we may share it with, how long we keep it for, alongside identifying any rights you may have and who to contact if you think we're not handling your information in the right way.

The categories of information that we collect, hold and share

We collect different types of Personal Data and Special Category Data depending on the activity being undertaken.

For the Early Years Education Entitlement, which is where you are requesting for your child(ren) to receive up to 15 hours of free early years education at one or more Early Years setting, this information is shared with us by the setting(s) and includes:

- your child(ren)'s personal information (such as contact/address details, date of birth)
- information about your children(ren)'s activity at the setting (such as setting attendance for funding allocations, Foundation Stage Profile results); and
- personal characteristics about your child(ren) (such as gender, ethnicity, first language and details about their special educational needs)

For checking eligibility for 2 year old education funding, the early years checker (a national system (linked to our CAPITA One Parent Portal) is used by you to capture information to be shared with Government Agencies. This information is used in assessing your financial eligibility through the Department for Education (DfE) online secure portal and providing an outcome as to whether you are eligible for 2 year old funding.

When you log onto the checker, you will be asked to provide the following information:

- Your child(ren)'s personal information (name, date of birth, address)
- Your personal information (name, address, date of birth, National Insurance Number, relationship to the child)
- Information in regards to whether you are applying either on economic or non economic grounds. For 'non economic criteria' additional evidence may be required and will be stored in the County Councils Document Management System (DMS);
- Looked after children – the service will confirm with the relevant social care team which may involve contacting another local authority
- Children who left care through Adoption, Residence Order or Special Guardianship, evidence such as confirmation email from social worker, or copy of a special guardianship order, child arrangements order, adoption order)

- Child(ren) with Special Educational Needs – copy of an Education, Health and Care Plan; and
- Child(ren) in receipt of Disability Living Allowance (DLS) - letter of award of disability living allowance

For the Extended 15 hour entitlement (30 hours childcare), where you are requesting access to the additional up to 15 free hours of early years education at one or more settings, you will use the eligibility checking service provided by His Majesty's Revenue and Customs (HMRC) to confirm your eligibility (HMRC is the Data Controller for this). The information you give to your early years provider will then be shared with the County Council to use to verify your eligibility.

The information you will be asked to provide to your setting(s) to be shared with the County Council is:

- Your child(ren)'s name and date of birth
- Your national insurance number; and
- Your Eligibility code for the extended 15 hour entitlement
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This is information is entered on the County Council Capita One system to undertake an eligibility check by sharing the information with the Department for Education (DfE) via an online secure portal. The information provided back from the DfE system is then used to allow your provider to claim the extended 15 hour entitlement for your child, if eligible.

For the Early Years Pupil Premium (EYPP), (EYPP is extra funding made available for settings to support eligible children meeting EYPP criteria), the information you supply on your EYE Parent Declaration form to your Early Years setting is shared with the County Council for the purpose of assessing whether you are eligible. This information is used in assessing your financial eligibility through the Department for Education (DfE) online secure portal. The information provided back from the DFE system is then used to allow your provider to claim additional EYPP funding for your child, if eligible.

The information you will be asked to provide is:

- Your personal information (name, date of birth) and information around your characteristics (gender, relationship to the child, confirmation of parental responsibility)
- Your national insurance number or National Asylum Support Services (NASS) number
- For eligible looked after children – the service will share this information to confirm this status with the relevant social care team which may require sharing with another local authority; and
- Non-economic evidence for children who left care under a special guardianship order, child arrangements order or adoption order (such as confirmation email from social worker, or copy of a special guardianship order, child arrangements order, adoption order).

For the Disability Access Fund, which is extra funding made available for supporting inclusion for either your child or for the benefit of children as a whole attending the setting.
The information you will be asked to provide is:

- A copy of your Disability Living Allowance award letter - this will be used to determine eligibility.

For the application for Special Educational Needs Inclusion Funding (SEN IF), the County Council has an application and assessment process (a full copy of the application form is on the Services for Young Children Website). Your provider will seek your permission through your signature to provide consent for them to share the information in the application form.

To identify whether you child meets the eligibility criteria for the SEN IF your provider will be asked to supply:

- Your child(ren)'s personal information (name, Date of Birth, Gender)
- Your personal information (name, Date of Birth, Address, Email contact)
- Information about your children's EYE claiming at the setting; and
- A summary of your child's needs and specific details of: strategies the provider has already put in place; what impact these have had on the child's developmental targets; and how the funding will enable the provider to meet those needs in addition to/differently from existing provision

The lawful basis on which we use this information

We collect and use the information ensuring that we comply with the General Data Protection Regulation (GDPR) and Data Protection Act 2018 (DPA2018) requirements for processing through:

- Article 6(1)(e) - the processing is necessary to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law
- Article 9(2) (g) – Necessary for reasons of substantial public interest on the basis of Union or Member State law which is proportionate to the aim pursued and which contains appropriate safeguarding measures; and
- Sch.1, Pt.2, 1 - Substantial public interest conditions, for processing under the Data Protection Act 2018 (when enacted)

These articles under the GDPR and DPA2018 are supported by the following specific legislation:

- Section 2 of the Childcare Act 2016
- Sections 6, 7, 8, 7A, 9A, 12, 13, 18.20, 34(1), 34(2), 46(1), 46(2) and 40 of the Childcare Act 2006
- Early Years Foundation Stage (Exemptions from Learning and Development Requirements) Regulations 2008 (SI 2008/1743, as amended by SI 2012/2463)
- Part 3 of the Children and Families Act 2014
- The Equality Act 2010
- The School and Early Years Finance (England) Regulations 2017 (S.I. 2017/44)
- Section 8 of the Education Act 1996 and the Education (Start of Compulsory School Age) Order 1998 (SI 1998/1607); and
- Section 22 of the Children Act 1989

Under this lawful basis we do not require your consent to process this information but we are required, through this privacy notice, to ensure you are fully informed of why we are collecting this information and what we will do with it.

Please note that no automated decision making occurs for any parts of these activities controlled by the County Council. The County Council does use profiling in the delivery of this service but only in support and delivery of identified groups under statutory guidance.

Storing and securing data

The information you or your child(ren)'s setting(s) provide for all of the activities identified in this privacy notice will be held on the County Council's CAPITA One system. The information held within CAPITA One will be kept in line with our retention schedule and then disposed of as appropriate. The County Council's CAPITA One system is hosted by CAPITA plc in secure UK based data centres. No information leaves the European Economic Area (EEA) and the information is encrypted when in transit between County Council users and the data centre the information is hosted within.

Evidence of non-economic criteria (if paper based) you provide will be scanned to create an electronic record and will be stored within the County Council's Document Management System (DMS), with the paper version being destroyed. The file will be linked to the record created in CAPITA One by the use of a reference identifier. Information obtained from SNAP surveys will also be stored within the DMS systems. The information held within the County Council's DMS will be kept in line with our retention schedule and then deleted as appropriate. The County Council's DMS is hosted by the County Council in secure UK based data centres, which are on site. No information leaves the European Economic Area (EEA).

The County Council takes its data security responsibilities seriously and has policies and procedures in place to ensure the personal data held is:

- prevented from being accidentally or deliberately compromised
accessed, altered, disclosed or deleted only by those authorised to do so
- accurate and complete in relation to why we are processing it
- continually accessible and usable with daily backups; and
- protected by levels of security 'appropriate' to the risks presented by our processing

The County Council also ensures its IT Department is certified to the internationally recognised standard for information security management, ISO27001.

Who do we share information with?

We do not share information with anyone unless there is a lawful basis that allows us to do so.

We are required by law to share pupils' data with the DfE. This data sharing underpins funding and educational attainment policy and monitoring. To find out more about the data collection requirements placed on us by the DfE please go to the Early years census 2018: guide. If you would like to find out more about the pupil information we share with the DfE for the purpose of data collections, please go to the Early years census page.

For the specific activities identified within this privacy notice, the following sharing of information is required, allowed under the lawful basis established earlier in this privacy notice:

The County Council will share Early Years Education Entitlement information securely through an online portal with the DfE for the purpose of completing the Early Years Census (a data collection exercise required by law). Where funding for one child is over the entitlement allowed due to more than one local authority claiming for this child, the County Council will need to share information (child's name, date of birth, hours being claimed, settings name) with another local authority to resolve the issue.

We will share child's name, date of birth, hours being claimed, settings name with other local authorities and/or providers of another local authority for children who reside in other local authorities and attend for services in Hampshire. This is to ensure that no fraudulent claims are being made and any genuine errors can be resolved. The outcome of your 2 year old education funding eligibility check will be shared with the DfE via the Eligibility Checking Service, who in turn share it with the Department for Work and Pensions (DWP) to carry out the necessary checks. The outcome will be shared with the County Council, which will include providing your eligibility code or a "Not Eligible" statement. We will then share confirmation of your eligibility, your eligibility code and the eligibility criteria (the reason why your are eligible for funding) with any other Local Authority with whom you have made an Early Years Claim (as required under the statutory process), where this information is required for your child(ren)'s place to receive the necessary funding.

The County Council may share information with other relevant Children's Services teams and/or other agencies such as Health. This task will be performed if you have accessed the online portal to secure an eligibility code but have not yet accessed their 2 year old childcare offer. This is undertaken to support the promotion, engagement and access to the early years education offer, specifically where your child is eligible but not yet accessing their 2 year old childcare offer.

Although the County Council will not share this information, as part of the extended 15 hour entitlement (30 hours childcare) process, you will use the eligibility checking service provided by His Majesty's Revenue and Customs (HMRC) to confirm your eligibility for the extended 15 hour entitlement (30hours). The information you give to your early years setting will be used to verify your eligibility. The outcome will be shared with the County Council, which will include providing your eligibility code or a "Not Eligible" statement. We will then share confirmation of your eligibility, your eligibility code and the eligibility criteria (the reason why your are eligible for funding) with any other Local Authority with whom you have made an Early Years Claim (as required under the statutory process), where this information is required for your child(ren)'s setting to receive the necessary funding.

For the Early Years Pupil Premium (EYPP), the County Council will use this information to complete an eligibility check, sharing the information with the Department for Education via an online secure portal. The outcome is shared back with the County Council who then use this information to allocate funding to providers as appropriate. The outcome will be shared with the County Council, which will show either "Eligible or a "Not Eligible" and the reason why you are eligible for EYPP funding. The County Council will inform your Provider if your child is eligible.

Depending on the individual circumstances of each situation, we may have to share this information with other teams within the County Council to fulfil other duties and powers to support our work. These might include our Children Missing Education (for ensuring the provision of full time education); Data Protection Team (for personal data incidents); Admissions (for ensuring every child can apply for a school place); Virtual School (for support of children looked after); and/or Social Care teams (supporting welfare, safeguarding and corporate parent functions). We may also share information through the County Council's role in the Hampshire Safeguarding Children Partnership (HSCP) to comply with their statutory duties.

Requesting access to your personal data and your rights

Under data protection legislation, individuals have the right to request access to information about them that we hold. To make a request for your personal information, or your child(ren)'s, please contact the Children's Services Department's Subject Access Request (SAR) Team.

You also have the right to:

- prevent processing for the purpose of direct marketing
- object to decisions being taken by solely automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed and claim compensation for damages caused by a breach of the Data Protection regulations

Please note that under the GDPR, there is also a right to erasure but the right to erasure does not provide an absolute 'right to be forgotten'. Where the data being processed is for the purpose of 'complying with a legal obligation for the performance of a public interest task or exercise of official authority' (Article 6(1)(e))', this right does not apply.

Contact details

If you would like more information about these services visit our Childcare and early years pages.

Further information
The above information is the specific privacy notice for this service. For more information about your rights in relation to your personal data, see the County Council's general privacy notice.

You have some legal rights in respect of the personal information we collect from you. See our Data Protection page for further details.

You can contact the County Council's Data Protection Officer by email data.protection@hants.gov.uk.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office.