

## Data Protection and GDPR

This Data Protection Statement is effective as and from the 25<sup>th</sup> May 2018.

This statement describes how we process your personal information and that of your child. Please take the time to read it carefully. You have a number of rights in relation to your information and that of your child including the right to object to processing of your personal information and your child's personal information where that processing is carried out for our legitimate interest and the right to object to direct marketing at any time.

In this statement we use the term "We" and "Our" and Carebear Playgroup Countdown Ltd" to refer to an unlimited company incorporated in the Republic of Ireland.

### 1. Who we are and how to contact us.

Carebear Playgroup Countdown Ltd is a registered company. We are the controller responsible for you personal data. Our contact details are Phone 01 4067799, [info@preciouschildrendaycare.ie](mailto:info@preciouschildrendaycare.ie).

We have appointed a Data Protection office(DPO) who is responsible for overseeing questions in relation to this data protection statement and our approach to privacy. If you have any questions about this Data protection statement, including any request to exercise your legal rights please put any requests in writing to the above email or contact the above number for guidance.

### **2. The purpose and legal basis for processing your information.**

We collect your information and that of your child for a number of purposes and rely on a number of different legal bases to use your information.

#### **● To Enter into, and Perform a contract with you.**

In order to enter in and perform a contact with you to provide childcare services we need to collect personal information from you such as your name, address, contact details and information relating to you child, including your child's name, date of birth and other information about your child. We may also require some financial information from you in order to process payments arising under the contract we have with you. We collect information about you and your child while your child is in our which we will process in order to fulfil our contract with you to provide childcare services. We will require certain personal information about and your child in order to obtain payments from various government programmes on your behalf including Childhood Care and Education Programme (ECCE) and Affordable Childcare Scheme. Where you make an enquiry about our services, we will use your information in order to provide you with information about the services we provide and a quotation. We

may receive information about child including name, date of birth and address at this stage. We process this data in order to take steps necessary to enter into a contract with you.

- To comply with our legal obligations.

We are required to process your personal information and that of your child to comply with certain legal obligations to which we are subject, including:

The Childcare Act 1991 (Early years' service) Regulation 2016

The Childcare Regulation (The Childcare Act 1991) ( early years' service) ( Amendments) Regulations 2016.

The above legislation requires that we keep certain information including sensitive personal information about the children in our care.

- For our legitimate business interests:

Where we process your information or that of your child for our legitimate interest, we ensure there is a fair balance between our legitimated interest and your or your child's fundamental rights and freedoms.

We may use your personal information or that of your child to manage our everyday business needs, including accounting, staff rota needs, training, to progress and respond to legal claims, in our legitimated interest.

We may use CCTV images of your child to deal with complaints, in our legitimate interest. Our legitimate interest is the effective management of our business and ensuring the safety and wellbeing of those under our care.

We may use your personal information to update you on our services, events and news about us, our legitimate interest. Where this information constitutes direct marketing, you have the right to opt out of this at any time. You can do this by following unsubscribe checks on our correspondence with you. Our legitimate interest is to connect with parents and to inform parents of any updates on our services or events or information which may be of interest to them.

- **With your consent:**

We sometimes process your child's personal information with your consent. We take 3.them in our centres, on our website or on our social media platforms with your consent. This consent can be withdrawn at any time by placing your direction in writing to the DPO details given.

Where you are not a client of Carebear Playgroup Countdown Ltd we will obtain your prior consent before using your information for direct marketing purposes. You will have the right to withdraw consent at any time.

### 3. Consequences of not providing information

Where we need to collect personal data by law or under terms of contract with you and you fail to provide that data when requested we may not be able to perform the contact we have or are trying to enter with you. For example, we are required by law to obtain certain details about your child.

#### 4. Types of Information we collect and some examples of How we use it.

We may collect, use, store and transfer different kinds of personal information about you and/ or your child as follows and use it for a variety of different purposes:

<b>Information Type</b>	<b>Example of how we use it</b>
Address, email address, telephone Numbers.	We use this information to send you information about your child and our services.
Name, Date of Birth, PPSN of Child and their Parents.	We use this information to obtain payments or subsidies for government schemes including Affordable Childcare Scheme or the ECCE Scheme and to comply with obligations under The Childcare Act 1991, Regulation 2016, Amendments, Regulation 2016.
The Name, Address of parents of the child, telephone Number where a parent or nominated relative can be contacted during the hours of operation of the services, authorisation for collection of the child.	We use this information to comply with our obligations under the Childcare Act 1991, Regulation 2016.
Details of any illness, disability, allergy or special needs	We use this information in order to comply with our obligations under the Childcare Act

Of your child together with all the information relevant to To the provision of special care or attention, the name and Telephone number of your child's registered medical Practitioner, records of immunisations, if any received by Your child, written consent for appropriate medical Treatment of your child in the event of an emergency.	1991, regulation 2016, amendments 2016.
Interactions with our staff including notes of calls With our staff.	We use this information to keep a record of your interaction with us to monitor and train Our staff.
Information about incidents which have involved Your child.	We use this information in order to advise you of any incidents or events which Have involved your child while attendance at our facilities and to investigate complaints.
Images from CCTV cameras or around premises.	CCTV images are only held on a rolling 72 hours and are only if necessary, in establishing facts in the context of serious incidents, complaints or concerns and in such circumstance to reassure staff and parents. It also services to enhance the overall security of our facility.

##### **5. Information you provide about others.**

If you give us personal information about somebody else, with their consent, we may add it to any personal information we already hold about you and your child and we will use it in the ways described in this data protection privacy notice.

Before you disclose information to use about another person, you should be sure you have their agreement to do so. You Should also show them this data protection notice. You need to ensure that they confirm that they know you are sharing their personal information with us for the purpose described in this data protection privacy notice.

- **Who we share your and your child's information with.**

We only share your personal information with a select number of individuals and companies and only as necessary. Sharing can occur in the following circumstance and/ or with the following persons:

- Statutory and regulatory bodies ( including TUSLA, POBAL and Law Enforcement Authorities):

We may share your personal information or that of your child with a statutory or regulatory body including TUSLA and/ or the Garda where required to do so by law or in order to claim any subsidiary childcare payment such as the ECCE or Affordable Childcare payment on your behalf.

- Third Party Services Providers:

We may share your personal information or that of your child with third party service providers that perform services and function at our direction and on our behalf such as IT providers, printers, Solicitors and other business advisors, accountants and providers of security and administrative services.

- In connection with a change of ownership:

We may also transfer your personal information to companies we plan to merge with or be acquired by.

## **7. Storage Periods**

We will retain your personal information and your child's personal information for the purpose of satisfying any legal, accounting or reporting requirements. We may also retain your and your child's data by reference to statutory limitation periods.

## **8. Transfers outside the European Economic Area**

We may transfer your personal data outside the European Economic Area. These countries do not always afford an equivalent level of privacy protection and in such circumstances we take specific steps, in accordance with data protection law and to protect your personal information. In particular, for transfers of personal data, outside the EEA where there is no adequacy decision by the European Commission we may rely on contractual protection approved by the European Commission.

## **9. Your and Your Child's Rights.**

You and your child have several rights under data protection law in relation to how we use your personal information. You have the right free of to :

1. Request a copy of the personal information we hold about you.
2. Rectify any inaccurate personal data we hold about you.
3. Erase personal information we hold about you.
4. Restriction of processing of your personal information.
5. Object to our use of your personal information for our legitimate interests.
6. Receive your personal information in a structured commonly used and machine-readable format, and to have that data transmitted to another data controller.
7. Where we process your personal information based on consent you have the right to withdraw this consent at any time.
8. You have the right to object to direct marketing at any time.

These rights are in some circumstances limited by data protection legislation. If you wish to exercise any of these rights, please contact us using the contact provided in writing detailing requirements. We will endeavour to respond to your request within a month. If we are unable to deal with your request within a month, we may extend this period by a further period of two months and we will explain why.

On sharing information, we request that you comply with our Data protection of privacy policy and regulatory requirements.

- We request that all data shared is not shared with any parties other than those involved or legal support and for legitimate interests.
- We request before sharing any information that you fully notify us of your intentions to share and to request our agreement, failing to do so, we will contact and claim all legal actions against you for any defamation to our business or characters.
- We will lodge a complaint to the Office of the Data Protection Commission.

You also have the right to lodge a complaint to the Office of the Data Protection Commission.

## **9. Updates**

We will review and update this data protection statement from time to time. Any update will be available on request, and where appropriate we will notify you.