

UK GDPR PRIVACY NOTICE

For Employees, Children Attending Tree Tots Day Nursery and Their Parents

Dated: 25th June 2026 • Version reviewed annually

WHAT IS THE PURPOSE OF THIS DOCUMENT?

Tree Tots Day Nursery (“the Nursery” or “we”) is committed to protecting the privacy and security of your personal information.

This privacy notice describes how the Nursery collects and uses personal information about employees of the Nursery (“Employees”), children attending the Nursery (“Child” or “Children”) and the parents of the Children (“Parents”) (known collectively as “You” or “Your”), in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

The Nursery is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about You. We are registered with the Information Commissioner’s Office (ICO) under registration number ZA217139. We are required under data protection legislation to notify You of the information contained in this privacy notice.

This notice applies to Employees, Children and Parents. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time but if we do so, we will provide You with an updated copy of this notice as soon as reasonably practicable. This notice is reviewed annually.

It is important that Employees, Children and Parents read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about You, so that You are aware of how and why we are using such information and what Your rights are under the data protection legislation.

DATA PROTECTION PRINCIPLES

We will comply with data protection law. This says that the personal information we hold about You must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to You and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told You about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told You about.
6. Kept securely.

THE KIND OF INFORMATION WE HOLD ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are “special categories” of more sensitive personal data which require a higher level of protection.

Employees

We will collect, store, and use the following categories of personal information about Employees:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.
- Gender.
- Marital status and dependants.
- Next of kin and emergency contact information.
- National Insurance number.
- Bank account details, payroll records and tax status information.
- Salary, annual leave, pension and benefits information.
- Start date and, if different, the date of an Employee’s continuous employment.
- Location of employment or workplace.
- Copy of driving licence (where applicable).
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process).
- Employment records (including job titles, work history, working hours, holidays, training records and professional memberships).
- Personnel files and training records including performance information, disciplinary and grievance information, and working time records.
- Information about your use of our information and communications systems.
- Records of any reportable death, injury, disease or dangerous occurrence.

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about an Employee’s race or ethnicity.
- Information about an Employee’s health, including any medical condition, accident, health and sickness records, including: details of any absences (other than holidays) from work including time on statutory parental leave and sick leave; where an Employee leaves employment and the reason for leaving is related to their health, information about that condition needed for pensions and permanent health insurance purposes.

Children

We will collect, store, and use the following categories of personal information about Children:

- Name
- Date of birth
- Home address
- Dietary requirements

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- Attendance information
 - Photographs and video clips of the Child to signpost Children to where their belongings are stored at the Nursery, and also for general display purposes (with parental consent)
 - Emergency contact should Parents be unavailable and the emergency contact's contact details
 - Record book for each Child containing the work of the Child whilst at the Nursery, observations about the Child's development, specific examples of the Child's progress, photographs demonstrating the Child's development, and personal details of the Child (e.g. their date of birth) ("Progress Report")
 - Records relating to individual Children e.g. care plans, common assessment frameworks, speech and language referral forms
 - Accidents and pre-existing injuries forms
 - Records of any reportable death, injury, disease or dangerous occurrence
 - Observation, planning and assessment records of Children

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about a Child's race or ethnicity, spoken language and nationality.
- Information about a Child's health, including any medical condition, health and sickness records.
- Information about a Child's accident or incident reports including reports of pre-existing injuries.
- Information about a Child's incident forms / child protection referral forms / child protection case details / reports.

Parents

We will collect, store, and use the following categories of personal information about Parents:

- Name
- Home address
- Telephone numbers, and personal email addresses.
- National Insurance number.
- Bank account details.

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about a Parent's race or ethnicity, spoken language and nationality.
- Conversations with Parents where Employees of the Nursery deem it relevant to the prevention of radicalisation or other aspects of the government's Prevent strategy.

HOW IS YOUR PERSONAL INFORMATION COLLECTED?

Employees

We collect personal information about Employees through the application and recruitment process, either directly from candidates or from background check agencies. We will collect additional personal information in the course of job-related activities throughout the period of employment.

Children and Parents

We collect personal information about Children and Parents from when the initial enquiry is made by the Parent, through the enrolment process and until the Children stop using the Nursery's services.

HOW WE WILL USE INFORMATION ABOUT YOU

We will only use Your personal information when the law allows us to. Most commonly, we will use Your personal information in the following circumstances:

7. Where we need to perform the contract we have entered into with You.
8. Where we need to comply with a legal obligation.
9. Where it is necessary for our legitimate interests (or those of a third party) and Your interests and fundamental rights do not override those interests.

We may also use Your personal information in the following situations, which are likely to be rare:

10. Where we need to protect Your interests (or someone else's interests).
11. Where it is needed in the public interest or for official purposes.

Situations in which we will use Employee personal information

We need all the categories of information listed above primarily to allow us to perform our contracts with Employees and to enable us to comply with legal obligations. The situations in which we will process Employee personal information are listed below.

- Making a decision about an Employee's recruitment or appointment.
- Checking an Employee is legally entitled to work in the UK. Paying an Employee and, if an Employee is deemed an Employee for tax purposes, deducting tax and National Insurance contributions (NICs).
- Providing any Employee benefits to Employees.
- Enrolling you in a pension arrangement in accordance with our statutory automatic enrolment duties.
- Liaising with the trustees or managers of a pension arrangement operated by a group company, your pension provider and any other provider of employee benefits.
- Administering the contract we have entered into with an Employee.
- Conducting performance and/or salary reviews, managing performance and determining performance requirements.
- Assessing qualifications for a particular job or task, including decisions about promotions.
- Gathering evidence for possible grievance or disciplinary hearings.

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- Making decisions about an Employee's continued employment or engagement.
 - Making arrangements for the termination of our working relationship.
 - Education, training and development requirements.
 - Dealing with legal disputes involving Employees, including accidents at work.
 - Ascertaining an Employee's fitness to work.
 - Managing sickness absence.
 - Complying with health and safety obligations.
 - To prevent fraud.
 - To monitor your use of our information and communication systems to ensure compliance with our IT policies.
 - To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
 - Equal opportunities monitoring.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of an Employee's personal information.

Situations in which the Nursery will use personal information of Children

We need all the categories of information listed above primarily to allow us to perform our obligations (including our legal obligations to Children). The situations in which we will process personal information of Children are listed below.

- Upon consent from the Parents, personal data of Children will be shared with schools for progression into the next stage of their education.
- Personal information of Children will be shared with local authorities without the consent of Parents where there is a situation where child protection is necessary.
- The personal information of Children will be shared with local authorities without the consent of Parents for funding purposes.
- Ofsted will be allowed access to the Nursery's systems to review child protection records.
- To ensure we meet the needs of the Children.
- To enable the appropriate funding to be received.
- Report on a Child's progress whilst with the Nursery.
- To check safeguarding records.
- To check complaint records.
- To check attendance patterns are recorded.
- When a Child's Progress Report is given to its Parent in order for that Parent to pass the same Progress Report to a school for application or enrolment purposes.

Situations in which the Nursery will use personal information of Parents

We need all the categories of information listed above primarily to allow us to perform our contracts with Parents and to enable us to comply with legal obligations.

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- The personal information of Parents will be shared with local authorities without the consent of Parents for funding purposes.
 - To report on a Child's attendance.
 - To be able to contact a Parent or a Child's emergency contact about their Child.
 - To ensure nursery fees are paid.

If Employees and Parents fail to provide personal information

If Employees and Parents fail to provide certain information when requested, we may not be able to perform the respective contracts we have entered into with Employees and Parents, or we may be prevented from complying with our respective legal obligations to Employees, Children and Parents.

Change of purpose

We will only use Your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use Your personal information for an unrelated purpose, we will notify the Employee, Child or Parent, as is appropriate in the circumstances, and we will explain the legal basis which allows us to do so.

Please note that we may process an Employee's, a Child's or a Parent's personal information without their respective knowledge or consent, as relevant to the circumstances, in compliance with the above rules, where this is required or permitted by law.

HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We may process special categories of personal information in the following circumstances:

12. In limited circumstances, with Employee or Parent explicit written consent.
13. Where we need to carry out our legal obligations or exercise rights in connection with Employee employment.
14. Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect an Employee, a Child or a Parent's interests (or someone else's interests) and the Employee, Child or Parent as appropriate is not capable of giving consent, or where the Employee or Parent has already made the information public.

The Nursery's obligations as an employer

- We will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws.
- We will use information about the physical or mental health of an Employee, or their disability status, to ensure Employee health and safety in the workplace and to assess the fitness of Employees to work, to provide appropriate workplace adjustments, to monitor and manage

sickness absence and to administer benefits including statutory maternity pay, statutory sick pay, pensions and permanent health insurance.

- We will use information about an Employee's race or national or ethnic origin, religious, philosophical or moral beliefs, or an Employee's sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

Do we need Employee consent?

We do not need the consent of Employees if we use special categories of personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach Employees for their written consent to allow us to process certain particularly sensitive data. If we do so, we will provide Employees with full details of the information that we would like and the reason we need it, so that Employees can carefully consider whether they wish to consent. Employees should be aware that it is not a condition of their contract with the Nursery that they agree to any request for consent from us.

INFORMATION ABOUT CRIMINAL CONVICTIONS

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

We envisage that we will hold information about criminal convictions. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so, which includes but is not limited to Disclosure and Barring Service ("DBS") checks. We will use information about criminal convictions and offences in the following ways:

- To conduct a DBS check on each Employee, to record the date of the DBS check, the number of the DBS check and the name of the body conducting the DBS check.

AUTOMATED DECISION-MAKING

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

15. Where we have notified Employees or Parents of the decision and given the Employee or the Parent as is appropriate 21 days to request a reconsideration.
16. Where it is necessary to perform the contract with an Employee or a Parent and appropriate measures are in place to safeguard the rights of those involved.
17. In limited circumstances, with explicit written consent from the Employee or the Parent, as is appropriate, and where appropriate measures are in place to safeguard rights.

You will not be subject to decisions that will have a significant impact on You based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified You accordingly.

USE OF ARTIFICIAL INTELLIGENCE (AI) AND AUTOMATED TOOLS

We use software tools, including an AI assistant, to help us carry out certain administrative tasks more efficiently — for example, preparing the staff rota and tracking room capacity and attendance against our required staffing ratios.

Where we use such tools, we limit the personal information involved to the minimum needed. For these tasks we use first names only, adding a surname initial solely where two or more people share the same first name so that we can tell them apart. We do not include special-category or sensitive information (such as health, dietary or medical needs, or any child's reasons for additional support) in these tools.

The provider of our AI tool acts as our “data processor”. This means they may only process personal information on our documented instructions and for the specific purpose we have set, must keep it secure, and may not use it for their own purposes. We have appropriate terms in place with the provider governing this.

Where any personal information is processed outside the United Kingdom, we ensure an appropriate safeguard is in place — such as UK “adequacy” regulations, an International Data Transfer Agreement, or Standard Contractual Clauses — so that your information continues to receive an equivalent level of protection.

Our use of these tools does not involve automated decision-making that produces legal or similarly significant effects about you. A member of our management team always reviews and remains responsible for the output (for example, the final rota). Please also see the “AUTOMATED DECISION-MAKING” section above.

DATA BREACHES

We have put in place procedures to deal with any suspected personal data breach and will notify You and any applicable regulator of a breach where we are legally required to do so. In the event of a personal data breach that is likely to result in a risk to the rights and freedoms of individuals, we are obligated to notify the Information Commissioner's Office (ICO) within 72 hours of becoming aware of the breach. Where a breach is likely to result in a high risk to Your rights and freedoms, we will also notify You directly as soon as reasonably practicable.

DATA SHARING

We may have to share Employee, Child or Parent data with third parties, including third-party service providers and other entities in the group. We require third parties to respect the security of Your data and to treat it in accordance with the law.

Which third-party service providers process my personal information?

- Local Authorities – for funding and monitoring reasons (e.g. equal opportunities and uptake of funded hours).
- Regulatory bodies – for ensuring compliance and the safety and welfare of the children.
- Schools – to provide a successful transition by ensuring information about the child's progress and current level of development and interests are shared.
- Credit reference agencies – where necessary, details of a Parent's name, address and payment record may be submitted to a credit reference agency in connection with the administration of nursery fees. This is referenced in our Terms and Conditions.

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- Software and AI tool providers – who help us prepare staffing rotas and manage attendance and capacity, acting as our data processor under written terms and only on our instructions.

All our third-party service providers are required to take appropriate security measures to protect Your personal information in line with our policies. We do not allow our third-party service providers to use Your personal data for their own purposes. We only permit them to process Your personal data for specified purposes and in accordance with our instructions.

We may share Your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share Your personal information with a regulator or to otherwise comply with the law.

DATA RETENTION

We will only retain Your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

As a guide, we apply the following headline retention periods:

- Children's records: retained until the child reaches the age of 21 (or 24 for child protection records), in line with the Limitation Act 1980.
- Employee records: retained for the duration of employment and for a period thereafter in accordance with our retention policy.
- Parent records: retained for as long as the child uses the Nursery's services and for a reasonable period thereafter as required by law.

Full details of retention periods are available in our retention policy from the manager. Once you are no longer an Employee, or a Child benefiting from the Nursery's services or a Parent, as is appropriate, we will retain and securely destroy your personal information in accordance with applicable laws and regulations.

RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

Your duty to inform us of changes

It is important that the personal information we hold about You is accurate and current. Please keep us informed if Your personal information changes during your relationship with us.

Your rights in connection with personal information

Under certain circumstances, by law You have the right to:

- Request access to Your personal information (commonly known as a "data subject access request").
- Request correction of any incomplete or inaccurate information we hold about You.
- Request erasure of your personal information where there is no good reason for us continuing to process it.
- Object to processing of Your personal information where we are relying on a legitimate interest.

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- Request the restriction of processing of Your personal information.
 - Request the transfer of Your personal information to another party.

If You want to review, verify, correct or request erasure of Your personal information, please contact the manager in writing.

You have the right to make a complaint at any time to the ICO (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

RIGHT TO WITHDRAW CONSENT

In the limited circumstances where You may have provided Your consent to the collection, processing and transfer of Your personal information for a specific purpose, You have the right to withdraw Your consent for that specific processing at any time. To withdraw Your consent, please contact the Directors. Once we have received notification that You have withdrawn Your consent, we will no longer process Your information for the purpose or purposes You originally agreed to, unless we have another legitimate basis for doing so in law.

You will not have to pay a fee to access Your personal information (or to exercise any of the other rights). We may need to request specific information from You to help us confirm your identity before processing your request.

STAFF TRAINING

We are committed to ensuring that all staff are trained on their data protection obligations. All Employees receive data protection training as part of their induction and are required to refresh this training at least every two years.

CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time, and we will provide You with a new privacy notice when we make any substantial updates. This notice is reviewed at least annually.

If you have any questions about this privacy notice, please contact one of the Directors at treetotsnursery@outlook.com