

Privacy statement Kinderopvang Morgen (Childcare Tomorrow)

According to the General Data Protection Regulation (GDPR)

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1. Introduction

Kinderopvang Morgen (Childcare Tomorrow) aims to protect its clients' personal data as best it can. As clearly and as transparently as possible and according to the applicable General Data Protection Regulation (GDPR).

This means that when processing personal data, Morgen and its staff:

- Comply with the general principles of the GDPR with respect to; legitimate use and transparency, specified use and clarity, minimising data use to what is strictly necessary, accuracy, retention periods, integrity and security.
- Can demonstrate or explain that there is a basis for using data, for example; consent from the person in question, an agreement with the person in question, a legal obligation, a vital interest of the person in question (does not apply to doctor/hospital), a governmental task (does not apply to governmental body), Morgen's own legitimate interest.
- Process personal data in accordance with the purpose for which it was provided.
- Have knowledge of personal data and special personal data.
- Ask for express consent when necessary for processing personal data.
Clients may withdraw their consent at any time, with the exception of where Morgen requires certain information in the context of a place in our childcare.
- Take appropriate technical and organisational measures to guarantee the security of personal data.
- Will not pass on personal data to other parties, unless this is necessary for the execution of the purpose for which data was provided, such as to certain government agencies.
- Are aware of the clients' rights concerning their personal data, point these out to the client and respect them.
- Work on the basis of Morgen's IT code of conduct (only for staff).

These rules apply to all Morgen clients and relate to the processing of their personal data and special personal data. By applying these regulations, the privacy of clients, partners and suppliers is protected against misuse of processed and used data, and against the processing of incorrect data. It also prevents personal data from being processed for a purpose other than for which it was collected, and safeguards the rights of clients, partners and suppliers.

2. Personal data and special personal data

Data consists of general and special personal data. Personal data is processed for various purposes, such as administration, communication, invoicing and the continuous improvement of services. The basis for this personal data is the agreed contract with the client. The personal data are collected from the person in question and will not be collected from third parties without the unambiguous permission of the person in question. Only those data are collected and processed which are necessary for the implementation of the aforementioned objectives. For example, the processing of data on religion, race, political affiliation, health or sexuality is prohibited. There are exceptions, which are mentioned in the GDPR. Morgen is allowed to process health data if this is necessary for the care of a child.

Processing personal data

Processing covers any form of handling personal data. This includes: the collection, recording, organisation, retention, updating, modification, retrieval, consultation, use, provision by means of transmission, dissemination, or other form of making data available, or the merging, linking, blocking, erasing or destroying of data. The lawful basis for processing applies in three of the six basic principles of the GDPR:

- The execution of an agreement
- Protection of legitimate interests
- Consent of affected persons

If you become a client of Morgen, we are required by the Childcare Act to inform you properly. This includes providing information about the placement of your child/children, our terms and conditions, complaints procedure, pedagogical policy and much more. We communicate with you through our websites, our newsletters, by email or the Parent app/Parent portal. As a client of Morgen, you will receive newsletters automatically, so that we can keep you properly informed about our services. If you do not wish to receive these newsletters, please inform us.

Morgen has several brands and works with integral child centres. Integral child centres work with their own (additional) privacy policy, which can be found on the website, or can be requested from the organisation concerned. The GDPR legislation applies everywhere in the same way with respect to the obligation to handle and process data with care.

Data of partners and suppliers

At Morgen, we work with partners such as education institutions, municipalities, youth care and other necessary organisations. We ask for your permission before sharing personal data with our partners. Morgen works with suppliers for the provision of maintenance, products and services needed to keep the organisation running smoothly. Agreements we make with partners and suppliers who work with personal data are laid down in a processing agreement. These agreements are signed by the members of the Morgen management team.

3 Sharing data

Personal data is provided to third parties if this is necessary for the realisation of a purpose, or because it is required by law. Information may also be provided by, or on behalf of the responsible party to government and semi-government bodies. This is only permitted within the framework of the adhering to laws and regulations to which they are subject, and to organisations whose activities arise from a statutory regulation, such as the GGD (City Health Service), the municipality, bodies responsible for the provision of subsidy information, the tax authorities, or for the implementation of a court order.

4 Deleting data

Personal data that is no longer necessary for the purpose for which it was collected or processed shall be deleted as soon as possible. Retention periods are based on laws and regulations, such as the Dutch archives act, the Dutch civil code, and legislation governing education and tax data. The privacy legislation does not give exact time limits for this. These are laid down in internal policy. Client data will be deleted immediately or after the agreed period, or stored anonymously in the databases, as far as the data is necessary for statistical purposes and the provision of management information.

5 Morgen responsibility and management

Minors

We only process personal data of minors (persons younger than 16 years) if written has been is given by the parent, guardian or legal representative, or if we need it for the placement of the child. From the age of 16, a child has the rights over their own privacy.

Security

Morgen has taken appropriate technical and organisational measures to protect personal data from unlawful processing, including the following measures:

- All persons who have access to data on behalf of Morgen are bound by a confidentiality obligation. Staff are authorised by the IT application managers to carry out certain tasks.
- Whenever possible, a username and password policy is used on systems.
- If there are reasons to do so, we anonymise personal data, for example in certain reports.
- We regularly test and evaluate our measures and implement improvements where necessary.
- Our staff have been, and are periodically informed about the importance of protecting personal data.

Research

As an organisation, Morgen or one of its brands regularly conducts research. Each study is compatible with our original purpose. We take the necessary measures to safeguard this.

6 Rights of clients

Data rights and obligations

Correct data is important for childcare work. This means that, where possible, clients keep their details up to date in the Parent app/Parent portal, or in their administration. For optimal communication, it is important that our means of communication are fit for purpose. Communication takes place through websites, newsletters, email, social media, etc. This means that clients have these means of communication at their disposal and can thus absorb, process and respond to information.

Right to inspect

The client has the right to inspect their own client data and the child's file at the childcare centre. A request for inspection can be submitted to the client advisor or to the staff at the childcare centre.

Request for rectification or addition

A client may request a change or addition to their data, or deletion of certain personal data. This request will be honoured if the data is factually incorrect, incomplete or irrelevant for the purpose for which it is being processed.

Right to data portability

A client has the right to transfer their personal data, for example to another organisation.

Right to obscurity

A client may request that their personal data be deleted. When requesting deletion, Morgen will check whether the data is no longer needed, whether the explicit consent has been withdrawn, whether the client has objected, whether any unlawful processing has taken place, and whether the legal retention periods have expired.

Right to restriction of processing

A client can indicate that incorrect personal data is being used, the processing of their data is unlawful, the data are no longer needed, or object to the use of their personal data. Morgen will not use the data until the data and the use thereof have been verified and found to be correct.

Right relating to automated decision-making and profiling

In the case of an automated decision with consequences for the client, a client can request a human decision be taken. The client can indicate this to the data protection officers at Morgen.

Right to object:

A client has the right to ask Morgen to stop using their personal data. Morgen will always respect this objection for marketing purposes and will immediately stop processing any personal data, unless compelling legal grounds for processing outweigh the interests of the client.

Data protection officers

The data protection officers (DPO) supervise the application of and compliance with the GDPR at Morgen. They have an independent position within Morgen and perform this duty as an additional task to their job. They are the organisation's point of contact for privacy issues. Other tasks are:

- Registration of data breaches and notable privacy issues for the MT.
- Joining team/parent consultations on request, including with partners.
- Contact with personal data authority where necessary.
- Periodic consultation with application managers/MT/managers about the progress and current situation within Morgen.

In the case of complex issues, internal officers shall seek external assistance.

Complaints, questions and comments

We ask clients to contact us directly with any complaints, questions or comments about the interpretation of the privacy legislation at Morgen. We hope that we will be able to find a solution together. Morgen has an official internal complaints procedure and is also affiliated to the Childcare Disputes Committee as an external complaints handler. Clients also have the right to lodge a complaint about the processing of their own or their child's personal data with the personal data authority, www.autoriteitpersoonsgegevens.nl/en.

Please let us know if you have any questions or comments, or if there is a possible data leak:

Kinderopvang Morgen

Attn. Data Protection Officers

Martin Campslaan 3

2286 SB Rijswijk, the Netherlands

privacy@kinderopvang-plein.nl

Sources: GDPR, Personal Data Authority, GDPR for associations.