

Access & Inclusion Model (AIM)

Privacy Statement

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Introduction

AIM is a national initiative that supports access to the ECCE programme for children with a disability. **AIM** enables pre-school settings and parents/guardians/carers to have timely access to universal and targeted supports for pre-school children with a disability. **AIM** also ensures the delivery of an inclusive pre-school experience by building capacity across the early years sector.

AIM is a collaborative initiative which is bringing together relevant professionals in the following agencies:

- Better Start National Early Years Quality Development (hosted by Pobal)
- Health Service Executive/HSE-funded Agencies
- Pobal
- Department of Children, Equality, Disability, Integration & Youth
- Department of Education
- Department of Health
- National Council for Special Education
- City/County Childcare Committees

This Privacy Statement in conjunction with the informed consent governs the collection, retention, use and sharing of personal information about a child, parent/guardian/carer and pre-school service under this initiative.

This privacy statement is for:

- Parents/Guardians/Carers and their children accessing supports under **AIM** (Section 1)
- Pre-school service providers (community/not-for-profit and private organisations) accessing and providing supports under **AIM** (Section 2)

Protecting the privacy of parents/guardians/carers and pre-school providers is important to us. Protecting your personal information is one of our highest priorities. At Pobal/Better Start we know that you care how personal information is used and we appreciate that you trust us to do that carefully and sensibly. This statement is designed to help you understand how we collect and use personal information. This statement applies to any areas where your information will be held.

Section 1: Parent/Guardian/Carer

You and your child's privacy is important to us. Please read our privacy statement below as it explains how your child's personal information will be collected and used by Pobal/Better Start.

1.1 Who can give informed consent?

Only parents who are guardians can give consent on behalf of their children. The definition of legal guardian of a child is:

- Where the child's parents are not married, the child's mother only;
- Where the child's parents are not married, the mother of the child **and** the child's father or any other named person where appointed guardian, further to a successful court application for guardianship;
- Where both parents are married, the child's mother and father are legal guardians;
- Following a separation or divorce, both parents remain the child's legal guardian, even if the child is not living with them and they have not been awarded custody of the child;
- Where the child's parents are not married and the mother of the child and the child's father have entered into an agreement which has the effect of making the father the guardian of the child.

The HSE can give consent as Carer in relation to a child who is the subject of a care order. Where children are in the care of the HSE the following applies:

- Voluntary Care: the consent of a guardian/guardians is required unless a Court Order has been made dispensing with that person's consent.
- Emergency Care Order: the consent of a guardian/guardians is required.
- Interim Care Order: the consent of a guardian/guardians is required.
- Care Order: it is good practice to seek the consent of the guardian/guardians, however, the HSE is authorised pursuant to Section 18 to give consent where medically necessary.

1.2 How can I withdraw consent?

You can withdraw your consent for your child to be involved in AIM at any time and without giving any reason. The withdrawal of your consent will not impact your child's rights under the universal ECCE childcare programme. To withdraw consent please tell your pre-school service and send an email to the aimteam@pobal.ie. Alternatively, you can write to us at Access and Inclusion Model, 2nd Floor, Ormond Building 31-36 Upper Ormond Quay Dublin 7.

1.3 What information does Pobal/Better Start collect about my child?

- Personal information that we collect will include your child's name, your child's date of birth and your child's PPSN. The collection of this information is in line with the Department of Children, Equality, Disability, Integration and Youth ECCE registration process for all children applying to the programme.
- We will also collect your contact details (phone numbers, email addresses and home addresses).

- Depending on the type of support you apply for, you may be asked to provide information about your child's functional abilities, health and medical needs and information relating to services they may have been recommended or provided.
- Further documentation which may support your child's application for additional support to access the ECCE year.

1.4 How does Pobal/Better Start collect and process my child's personal information?

If you would like to apply for support under the Access and Inclusion Model (AIM), together with a pre-school you will need to complete an online form. There are two forms that you can potentially complete.

1. The Access & Inclusion Profile is completed to request **expert Early Years Educational advice and support** (AIM Level 4 and Level 7).
 2. The **AIM Capital** application which is completed to request equipment, aids/appliances and minor alteration grants that are deemed critical to enabling your child to participate in the ECCE programme (AIM L5).
- At the time of completing either of these forms, you will be asked for your Informed Consent.
 - If you are completing both forms, you will only be required to give your consent on the first form.
 - The information that you are completing on these forms and any documents you choose to attach are done through our secure online database systems called the Hive.
 - The pre-school service that you will be completing the on-line forms with has their own user account and password for accessing the Hive .

1.5 What will Pobal/Better Start do with my child’s personal information?

The information that you supply through HIVE will be used to determine the type of support your child may need to meaningfully participate in the ECCE year.

Information Gathered via:	Viewed/Shared/Utilised by:	Types of support the information may be used for:
Level 4 & 7: Access & Inclusion Profile	Better Start AIM, Pobal and HSE	<ul style="list-style-type: none"> - Phone Support to the Pre-School - Visit to the Pre-School - Therapeutic Support from the HSE (Level 6) - Additional Funding for the Pre-School to employ an extra member of staff or maintain a reduced ratio - To support the development of ‘My Inclusion Plan’ for your child. - To support the service and the parent to identify the appropriate Level 5 capital support.
Level 5: Capital Application Form	Pobal AIM Appraisal Team Specialised Equipment Supplier	<ul style="list-style-type: none"> - Need for and type of specialised equipment for the service - Need for and amount of funding for minor alterations - Ordering and delivery of any approved specialised equipment. (Child ID)
Level 6: Therapeutic Support	HSE CDNT/Primary Care	<ul style="list-style-type: none"> - Should your child require support under Level 6 from the HSE to meaningfully participate in their ECCE year, your child’s information may be passed to the relevant clinician in the HSE who will review your child’s information so as to advise on the most appropriate support (equipment or therapeutic support) for their inclusion within the ECCE year.*
Level 5/6/7	Early Years Specialist; Pobal Appraisal Team; HSE Therapeutic Support Services; DES Visiting Teacher; Pre-School Service	<ul style="list-style-type: none"> - To identify the most appropriate support (equipment or therapeutic support) for their inclusion within the ECCE year - To support their transition to primary school.

* National Health Consent will be further sought for any direct involvement from the Progressing Disability Services for Children & Young People (PDS)

1.6 How does Pobal/Better Start keep my child's personal information safe?

- We are firmly committed to safeguarding you and your child's confidentiality and protecting all of the personal information that you supply.
- We will ensure that all data of a sensitive nature relating to any parties concerned with AIM services will be stored in a secure manner.

Pobal/Better Start have appropriate safeguards in place to ensure that personal data is only accessible to those who need access to it to carry out their functions. All information that you supply is inputted on to our secure EYP-CRM/HIVE system.

To prevent unauthorised access, maintain data accuracy, and ensure the correct use of information, we have put into place appropriate physical, electronic, and managerial procedures to safeguard and secure the information we collect online.

These include the following safeguards:

- The service provider that you will be completing the on-line forms with has their own user account and confidential password for accessing HIVE.
- Prior to completing the on-line forms the service provider can print a copy of the profile giving you the opportunity to read through it before completing it on-line.
- Once the form with the PPSN is submitted to HIVE, it is replaced with a Child Unique Identifier and your child's PPSN is no longer visible.
- Before submitting a profile on HIVE the pre-school service can print copies of the completed profile, one for you to keep as parent/guardian/carer and one for the child's inclusion plan in the pre-school. Your child's PPSN will not appear on the printed copy.
- Once the profile is submitted on HIVE, it is only viewable again by the pre-school staff member who completed the profile with you or the Primary Authorised User (including AIM Primary Authorised User). Personal information will not be viewable by any other pre-school staff using HIVE. If this pre-school staff member leaves the service, then a written mandate process must be followed to change access.

Other controls include:

- Robust and multi-layered security of servers and applications
- Multiple layers of internal and external firewalls which protect our online environments
- Regular reviews of our security practices and technology updates
- Use of Secure Socket Layer (SSL) 128-bit encryption to protect the information you send or receive from our secure sites
- Use of encrypted password log-on to Pobal/Better Start website to help safeguard against unauthorised access to your and your child's details.

In relation to information kept in hard copy format, Pobal has standards in place protecting personal data from unauthorised access when in use and in storage and also to protect from inadvertent destruction, amendment or corruption. Personal manual data is kept securely in locked cabinets, locked rooms or rooms with limited or restricted access.

1.7 Lawful bases for processing your data

In order for the use of personal data to be lawful it should be processed on the basis of either the consent of an individual concerned or another legal basis, set out in the General Data Protection Regulation or in the Data Protection Act 2018.

The Department of Children, Equality, Disability, Integration and Youth (DCEDIY) is the data controller for the AIM programme. For further information please see the [DCEDIY privacy notice](#).

Pobal/Better Start processes personal data on behalf of the DCEDIY and will ensure that your data is processed in keeping with the principles of data protection.

As a data processor, Better Start / Pobal processes personal data under the following legal bases:

- Consent
- Performance of a contract
- Performance of a task carried out in the public interest

1.8 How long we retain your information

We will hold your personal information on our systems for as long as is necessary for the relevant activity, and as required by the DCEDIY, subject to legislation and regulatory rules we must follow.

1.9 How can I access or change information held about me or my child?

You are entitled to know the existence of and to review the information about you and your child that has been gathered by Pobal - Better Start. On making a written request and upon satisfactory verification of your identity, you are entitled to:

- (a) A copy of the data;
- (b) A description of the purposes for which it is held;
- (c) A description of those to whom the data may be disclosed; and
- (d) The source of the data unless this would be contrary to the public interest.

AIM will ensure that its obligations under the Freedom of Information Act 2014 are implemented in full in respect of the services provided whilst ensuring the full protection of data of a sensitive nature relating to any parties concerned.

Please note that this right of access does not include a right to see personal data about another individual, without that other person's consent.

Section 2: Pre-School Provider

Your privacy is important to us. Please read our privacy statement below as it explains how your personal information will be collected and used by Pobal/Better Start.

2.1 Who can give informed consent? See section 1.1

- Only parents who are guardians can give consent on behalf of their children. The definition of legal guardian of a child is:
 - Where the child's parents are not married, the child's mother only;
 - Where the child's parents are not married, the mother of the child and the child's father or any other named person where appointed guardian further to a successful court application for guardianship;
 - Where both parents are married, the child's mother and father are legal guardians;
 - Following a separation or divorce, both parents remain the child's legal guardian, even if the child is not living with them and they have not been awarded custody of the child;
 - Where the children's parents are not married and the mother of the child and the child's father have entered into an agreement which has the effect of making the father the guardian of the child.

The HSE can give consent as Carer in relation to a child who is the subject of a care order.

Where children are in the care of the HSE the following applies:

- Voluntary Care: the consent of a guardian/guardians is required unless a Court Order has been made dispensing with that person's consent.
- Emergency Care Order: the consent of a guardian/guardians is required.
- Interim Care Order: the consent of a guardian/guardians is required.
- Care Order: it is good practice to seek the consent of the guardian/guardians, however, the HSE is authorised pursuant to Section 18 to give consent where medically necessary.

2.2 Can a parent/guardian/carer withdraw consent?

A parent/guardian/carer can withdraw their consent for their child to be involved in **AIM** at any time and without giving any reason. The withdrawal of their consent will not impact their child's rights under the universal ECCE childcare programme.

2.3 What information does Pobal/Better Start collect about my pre-school?

Personal information that we collect will include your pre-school's name, contact details (name, phone numbers, email addresses), bank account details, TCAN, TRN and DCEDIY number. We may also collect information relating to your pre-schools capacity to be an inclusive setting which will include Inclusion Coordinator details.

2.4 How does Pobal/Better Start collect and process information about my pre-school?

In partnership with the child's parents, you will submit the above details when applying for supports from the Better Start Access and Inclusion Model. Where applicable we will use your bank account details and TCAN to make payments on any funding approved under AIM:

- Level 1: An Inclusive Culture
- Level 5: Equipment, appliances and minor alterations grant
- Level 7: Additional assistance in the pre-school room

The information that you provide will be submitted to Pobal/Better Start over a secure online system called EYP-CRM/HIVE.

2.5 What will Pobal/Better Start do with the information about my pre-school?

Pobal/Better Start may use the information supplied in relation to your pre-school to contact you directly to discuss the application submitted on behalf of the child. Furthermore, the information provided may be used to support the development of an inclusion plan for the child. Where applicable, Pobal/Better will share your pre-schools contact details with the HSE to identify the most appropriate supports for the child. Your information may also be used by Pobal/Better Start and DCEDIY in the evaluation of the AIM programme. All data published by Pobal/Better Start and DCEDIY in the evaluation and reporting of AIM will be anonymised.

Your data will not be kept for longer than is necessary for the purpose for which it was collected and will be disposed of when it is no longer needed. The method of disposal will be appropriate to the sensitivity of the data, such as shredding in the case of manual data and reformatting or overwriting in the case of electronic data.

2.6 How does Pobal/Better Start keep the information about my pre-school safe?

We are firmly committed to safeguarding your confidentiality and protecting your personal information. Pobal/Better Start has appropriate safeguards in place to ensure that personal data is only accessible to those who need access to it to carry out their functions. All data supplied in the registration process is stored on our secure HIVE systems.

To prevent unauthorized access, maintain data accuracy, and ensure the correct use of information, we have put into place appropriate physical, electronic, and managerial procedures to safeguard and secure the information we collect online. All information that is supplied by you is inputted on to our secure HIVE systems.

These include the following safeguards:

- You as HIVE User will be completing the AIM on-line forms using your own user account and your own confidential HIVE password.
- Any financial information required by you is collected and administered using our secure Bank Mandate process.

- Once the profile is submitted on HIVE, it is only viewable again by you (the person who completed it with the parent/guardian/carer) or the Primary Authorised User (or the AIM Primary Authorised User). AIM personal information about a child will not be viewable by any other HIVE users in your pre-school. If you leave the service, your user account must be revoked and a written mandate process will be required to change access.

Other controls include:

- Robust and multi-layered security of servers and applications;
- Multiple layer of internal and external firewalls which protect our online environments;
- Regular reviews of our security practices and technology updates;
- Use of Secure Socket Layer (SSL) 128-bit encryption to protect the information you send or receive from our secure sites;
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As a data processor, Better Start / Pobal processes personal data under the following legal bases:

- Consent
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- Performance of a task carried out in the public interest

2.8 How long we retain your information

We will hold your personal information on our systems for as long as is necessary for the relevant activity, and as required by the DCEDIY, subject to legislation and regulatory rules we must follow.

2.9 How can I access/seek to modify the information held about my service?

You are entitled to know the existence of and to review the information about your pre-school that has been gathered by Pobal/Better Start. On making a written request and upon satisfactory verification of your identity, you are entitled to:

- (a) A copy of the data;
- (b) A description of the purposes for which it is held;
- (c) A description of those to whom the data may be disclosed; and
- (d) The source of the data unless this would be contrary to the public interest.

AIM will ensure that its obligations under the Freedom of Information Act 2014 are implemented in full in respect of the services provided whilst ensuring the full protection of data of a sensitive nature relating to any parties concerned.

Please note that this right of access does not include a right to see personal data about another individual, without that other person's consent.

2.10 What are my responsibilities under this privacy statement?

All pre-school services under DCEDIY contract are required to maintain compliance with General Data Protection Regulation under the Data Protection Act 2018 and to comply with all obligations at law. AIM requires that all personal information about a child and/or parent/guardian/carer accessing supports in your service is collected, stored and shared in compliance with the General Data Protection Regulation (GDPR).

All pre-school staff, Management, Directors and Board Members who are not directly engaged with the child under the consent of the parent/guardian/carer do not have a right to see personal data about a child and/or parent/guardian/carer without the consent of the parent/guardian/carer.

Section 3: General Information

3.1 What are your rights?

The General Data Protection Regulation (GDPR) has introduced new rights to individuals in relation to their personal data. Guidance on the rights of individuals is available on the Data Protection Commission website and can be accessed via www.dataprotection.ie

To request a copy of your personal data or to activate any of your data protection rights, contact the DCEDIY DPO at:

By e-mail: dpocontact@equality.gov.ie

By post: Data Protection Unit, The Department of Children, Equality, Disability, Integration and Youth, Block 1, Miesian Plaza, 50-58 Baggot Street Lower, Dublin 2. D02 XW14

3.2 How to Make a Complaint

If you have a complaint about the use of your personal information, please let us know to give us the opportunity to put things right as quickly as possible.

You can make a complaint by emailing us at: complaints@pobal.ie

Please be assured that all complaints received will be fully investigated. We ask that you supply as much information as possible to help our staff resolve your complaint quickly.

You also have the right to complain directly to the Data Protection Commission (DPC). The DPC contact details are:

Telephone: +353 57 8684800

Lo Call Number: 1890 252 868 4757

Email: info@dataprotection.ie

Webform: <https://forms.dataprotection.ie/contact>

Postal address: Data Protection Commission, 21 Fitzwilliam Square South, Dublin 2, D02 RD28

3.3 Changes to Pobal/Better Start Access & Inclusion Model Privacy Statement

We may update this statement from time to time. We will always include the date of a new version so that you know when there has been a change.