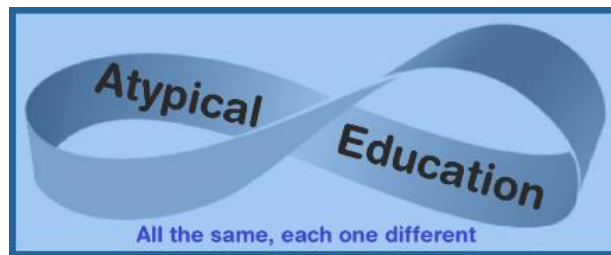


# Privacy Notice

## Atypical Education



<b>Approved by:</b>	Emma Oxnam	<b>Date:</b> 1 <sup>st</sup> September 2022
<b>Last reviewed on:</b>	-	
<b>Next review due by:</b>	1 <sup>st</sup> September 2023	

## 1. Privacy Notice

Under data protection law, individuals have a right to be informed about how Atypical Education uses any personal data we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data. This privacy notice explains how we collect, store and use personal data about individuals working with Atypical Education. Emma Oxnam, Atypical Education, The Rectory, Church Road, Honington Bury St Edmunds Suffolk IP311RG is the 'data controller and officer' for the purposes of data protection law. The Data Protection Officer can be contacted at [emma.atypicaleducation@gmail.com](mailto:emma.atypicaleducation@gmail.com)

## 2. The personal data we hold

We process data relating to pupils, parents, staff and volunteers.

The categories of **pupil** information that we process include, but is not restricted to:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity and language)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors' information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as test results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- Information about free school meal and pupil premium eligibility
- Information for catering management purposes (e.g. whether you have school dinners and how often)
- Information about biometric recognition systems (such as cashless catering)

We may also use photographs of you, including images captured by CCTV. More details about this are in our photograph policy and our combined data protection policy.

The categories of **parent** information that we process include, but is not restricted to:

- Contact details and contact preferences (such as your name, address, email address and telephone numbers)
- Bank details
- Details of your family circumstances
- Details of any safeguarding information including court orders or professional involvement
- Records of your correspondence and contact with us
- Details of any complaints you have made

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- Any health conditions you have that we need to be aware of
- Photographs and CCTV images (more details about this are in our combined data protection and policy)

We may also hold data about you that we have received from other organisations, including other schools and social services.

The categories of **staff and volunteer's** information that we process include, but is not restricted to:

- Contact details
- References
- Evidence of qualifications
- Payroll information (including bank account details)
- Employment details
- Information about business and pecuniary interests

We may also collect, store, use and share (where appropriate) information about you that falls into "special categories" of more sensitive personal data. This may include but is not restricted to:

- Information about any health conditions you have that we need to be aware of
- Information about disability and access requirements
- Information about Protected Characteristics as defined by the Equality Act 2010 (such as racial or ethnic origin, religious beliefs and gender identification)
- Photographs and CCTV images captured (more details about this are in our combined data protection policy)

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences. We may also hold data about you that we have received from other organisations, including other schools and social services, and the Disclosure and Barring Service (DBS) in respect of criminal offence data.

### 3. Why we use this data

The purpose of processing this data is to:

- a) Comply with our legal and statutory obligations for publishing and sharing details
- b) Facilitate safeguarding obligations
- c) Meet our health and safety obligations, so that we know who to contact if there is an emergency
- d) Report to you on your child's attainment and progress
- e) Keep you informed about events

- f) Process payments for services and clubs
- g) Provide appropriate pastoral care and protect pupil welfare
- h) Assess the quality of our services and carry out research

#### 4. Use of your personal data for marketing purposes

Where you have given us consent to do so, we may send you marketing information promoting events, campaigns, charitable causes or services that may be of interest to you. You can withdraw consent or 'opt out' of receiving these by contacting the data protection officer.

#### 5. Use of your personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

#### 6. Our lawful basis for using this data

Our lawful bases for processing your personal data for the purposes listed above are as follows:

- collecting the data is necessary to perform tasks that we are required to perform as part of our statutory function
- we need to process data to meet our responsibilities under law as set out here: for purpose: Keeping children safe in education - Statutory guidance for schools and colleges and The Equality Act 2010
- we will use this personal data in a life-or-death situation

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so. For 'special category' data, we only collect and use it when we have both a lawful basis and one of the following conditions for processing as set out in data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law

- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

## 7. Collecting this information

While the majority of the information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us. Whenever we seek to collect information from you, we will make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice. Most of the data we hold about you will come from you, but we may also hold data about you from:

- Schools, Local authorities and DfE
- Government departments or agencies
- Your children
- organisations connected with promoting and researching the education or wellbeing of children in England (SEND, CAMHS, Nursing and Counselling teams)
- Police forces, courts, tribunals and organisations fighting or identifying crime

## 8. How we store this data

We keep personal information about you for as long as the law requires us to.

### **Pupils and Parents**

Most of the information we have about you will be in your pupil file. We usually keep these until your 25<sup>th</sup> birthday unless you move to another school or provision in which case we send a copy of your file to your new placement. We have a policy which explains how long we keep information. It is called a records retention policy.

### **Staff and Volunteers**

We only keep your information for as long as we need it or for as long as we are required by law to keep it. Full details are given in our records retention policy. We may also keep it beyond your volunteering with us if this is necessary. We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. We will dispose of your personal data securely when we no longer need it.

## 9. Data sharing

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so. Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about you with:

- Government departments or agencies
- Local authorities – to meet our legal obligations to share certain information, such as safeguarding concerns
- Ofsted
- Our auditors
- Health authorities
- Service providers
- Professional advisers and consultants
- Employment and recruitment agencies
- The Disclosure and Barring Service (DBS)
- Police forces, courts and tribunals

## 10. Your rights

You have a right to make a ‘subject access request’ to gain access to personal information that we hold about you. If you make a subject access request, and if we hold information about you, we will (subject to any exemptions that may apply):

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have a right for your personal information to be transmitted electronically to another organisation in certain circumstances. If you would like to make a request, please contact our data protection officer. Your other rights regarding your data Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to our use of your personal data
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner’s Office (ICO)
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

## 11. Complaints

We take any complaints about our use of personal information very seriously. If you think that our use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact us If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our data protection officer at [emma.atypicaleducation@gmail.com](mailto:emma.atypicaleducation@gmail.com)