



Deaf Student Solutions Ltd.

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Privacy Policy (for Non-medical helpers - NMH)

Deaf Student Solutions Ltd (DSS) is committed to maintaining the trust and confidence of the students and freelance staff we work with. In this Privacy Policy, we've provided lots of detailed information on what data we collect, how we collect it, why we collect it and how we use it to meet DSS's Data Protection Policy and the General Data Protection Regulation (GDPR). You will also discover the limited conditions under which we may disclose it to others, how we keep it secure and how we dispose of it.

The personal data DSS collects is used solely in the delivery of services to a client and all the activities included within this, including sharing personal data with those who require specific information to complete an action within the confines of providing support

What data do we collect?

The personal data that we collect includes your name, email address, telephone numbers, bank details, professional qualifications, DBS certificates (which include your date of birth, any previous names and any convictions you may have or lists you appear on), membership numbers of professional membership (where applicable), National insurance and Unique Tax Reference numbers.

We will also ask for details of the NMH roles you can offer to our students and your preferred work location. If you decide to email a CV, cover letter, personal statement or other similar document or information we will keep that information for as long as you want to keep receiving assignment offers.

In the instance of you requesting to not be emailed information of upcoming assignments, we will collect your name and email address only, to ensure you are deleted from any mailshots using data collected from NRCPD, ANP or other membership organisations.

How we collect your data

We collect data about you from several places including:

- Directly from yourself via submitted CV, returned Staff Profile, Contact us submission on DSS website and/or email/phone enquiry
- Professional Membership Association websites (NRCPD, PATOSS etc.) *
- Referrals from Friend/Colleague
- Indeed

* Third parties DSS collects information from: data collected from third parties include names, email address, mobile numbers, membership number and qualifications.

Why we collect your data and how we use it

We will only use your personal data in ways the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform a contract, we are about to enter into or have entered into with you.
- 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.
- Where we need to comply with a legal or regulatory obligation.

We have set out below, in a table format, a description of all the ways we may use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are.

Data Type	How we use it	Lawful basis
<p>Identity Data Including first and last name</p>	<ol style="list-style-type: none"> 1. To identify individuals. 2. Inform client who to expect. 3. HMRC employment intermediary report. 	<p>Processing is necessary for the purposes of the legitimate interests.</p> <p>Processing is necessary for the performance of a contract to which the data subject is party.</p> <p>Processing is necessary for compliance with a legal obligation to which the controller is subject.</p>
<p>Contact Data including phone numbers, email addresses, postal address</p>	<ol style="list-style-type: none"> 1. Request availability. 2. Speak to NMH. 3. Send information about jobs. 4. Identify location. 5. Send any paperwork (PO's and timesheets etc.). 6. HMRC employment intermediary report. 	<p>Processing is necessary for the purposes of the legitimate interests.</p> <p>Processing is necessary for the performance of a contract to which the data subject is party.</p> <p>Processing is necessary for</p>

		compliance with a legal obligation to which the controller is subject.
Financial Data Including sort and account numbers Unique Tax Reference number National Insurance number	1. Process payments. 2. HMRC employment intermediary report.	Processing is necessary for the purposes of the legitimate interests. Processing is necessary for the performance of a contract to which the data subject is party. Processing is necessary for compliance with a legal obligation to which the controller is subject.
Profile Data Including Professional membership evidence/number Qualifications Training CPD	1. Prove eligibility to provide service.	Processing is necessary for the purposes of the legitimate interests. Processing is necessary for the performance of a contract to which the data subject is party.
Date of Birth (DOB)	1. Access DBS Update service. 2. HMRC employment intermediary report.	Processing is necessary for the purposes of the legitimate interests. Processing is necessary for compliance with a legal obligation to which the controller is subject.
DBS Number/certificate	1. Ensure not barred from working with vulnerable groups.	Processing is necessary for the purposes of the legitimate interests. Processing is necessary for the performance of a contract to which the data subject is party.

Consent

Generally, we do not rely on consent as a legal basis for processing your personal data other than in relation to sending specific data to the Department for Education for Audit purposes (if requested). A request for this consent will be sent via email or text message. You have the right to withdraw consent at any time by emailing admin@deafstudentsolutions.com and your name will then be removed from any documents relating the audit by Deaf Student Solutions and a customer reference number will be used as a identifying mark.

Lawful Basis

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you and our clients the best service and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by [contacting us](#).

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract. Within DSS a Purchase Order is deemed to be a contract (When a NMH accepts a purchase order, a legally binding contract is formed between them and DSS).

DSS processes specific data (NI number, UTR number, DOB and identity data) to comply with our legal obligation to provide information to HMRC via our Employment Intermediary Report.

Sharing your Data

DSS will only share your information with third parties on a need to know basis (third parties include students/clients, co-workers and/or HEI staff). We are not in the business of selling, renting email list with other companies and businesses for marketing purposes.

Before DSS shares your information with anyone you will always receive a Request to Share Your Information Notice and have the right to decline.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law and they may only use your data for the purposes we specify when sharing data with them. We will always work with them to protect your privacy.

Access to your Personal Data

Under GDPR, there are 8 fundamental rights that you as an individual data subject are entitled to.

You have the right to:

- be informed about the personal data we process about you
- access to the personal data we process about you
- rectification of your personal data
- erasure of your personal data in certain circumstances
- restrict processing of your personal data
- data portability in certain circumstances
- object to processing of your personal data that was based on public or legitimate interest
- not to be subjected to automated decision making and profiling; and
- to withdraw consent (where applicable) at any time

For further details about these rights please visit the [Information Commissioners Office](#) website.

If you would like to enact any of your rights regarding the personal information that we hold, please email your request to Daniel Rudd at admin@deafstudentsolutions.com or you can complete the online form on our website.

Right to Object

DSS would like to draw attention to your Right to Object.

Where the lawful basis for processing your data is Legitimate Interest you can object to your data being processed giving specific reasons why you are objecting. These reasons must be based upon your situation (e.g. the processing is causing you financial loss).

It must be noted that in these circumstances the right to object is not absolute and DSS can continue to process data if:

- DSS can demonstrate compelling legitimate grounds for the processing, which override the interests, rights and freedoms of the individual; or
- the processing is for the establishment, exercise or defence of legal claims.

DSS will consider the specific reasons given by you and will balance your interests, rights and freedoms with our own legitimate grounds.

If DSS is satisfied that we do not need to stop processing the personal data in question we will let the you know; explaining our decision and will inform you of your right to make a complaint to the ICO or another supervisory authority

Data Protection

DSS has robust internal IT Security and Data Protection Policies and Procedures to ensure the security of data entrusted to us.

DSS take comprehensive measures, technical and organisational, to safeguard personal data. These include policies and procedures to deal with any suspected data breach, and business continuity measures to enable us, in the event of any circumstances arising that may otherwise interrupt the delivery of our service to you, to continue to be able to access and process your data.

If we use a third party to process personal data on our behalf (e.g. an IT services provider) we will check that they have suitable measures in place to protect your personal data and seek to make this a condition of our contract with them.

Retention

DSS will only retain your personal data for as long as necessary to fulfil the purposes it is collected for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of personal data, the purposes for which we process your personal data and whether those purposes can be achieved through other means, and the applicable legal requirements.

In some circumstances DSS may anonymise your personal data (so that it can no longer be associated with an individual) for research or statistical purposes in which case we may use this information indefinitely without further notice.

In accordance with the Home Office and Disclosure and Barring Service information DSS will keep a copy of your DBS certificate for no longer than 6 months. Information including Certificate number, date of issue and name will be kept on file, securely, for external audit purposes.

Erasure

Under Article 17 of the GDPR individuals have the right to have personal data erased. This is also known as the 'right to be forgotten'. The right is not absolute and only applies in certain circumstances.

Individuals have the right to have their personal data erased if:

- the personal data is no longer necessary for the purpose which it was originally collected or processed for
- DSS is relying on legitimate interests as our basis for processing, the individual objects to the processing of their data, and there is no overriding legitimate interest to continue this processing
- DSS is processing the personal data for direct marketing purposes and the individual objects to that processing
- DSS has processed the personal data unlawfully
- DSS has to do it to comply with a legal obligation

The right to erasure does not apply if processing is necessary for one of the following reasons:

- to exercise the right of freedom of expression and information
- to comply with a legal obligation
- for the performance of a task carried out in the public interest or in the exercise of official authority
- for archiving purposes in the public interest, scientific research historical research or statistical purposes where erasure is likely to render impossible or seriously impair the achievement of that processing; or
- for the establishment, exercise or defence of legal claims.

If DSS refuses to comply with the request for erasure the individual will be informed within one month of the request via email with the reasons DSS will not take any action, information on how to make a complaint to the ICO and information on the ability to seek to enforce the 'right to be forgotten' through a judicial remedy.

Transfer of Data outside the EU

DSS does not transfer any data outside of the European Union.

However, if DSS ever did or needed to the following measures will be taken to ensure it is protected to the same standards as it would be within the EEA:

- The country that is receiving your Personal Data has been found by the European Commission to offer the same level of protection as the EEA. More information can be found [on the European Commission Justice website](#).
- We will use contracts that require the recipient to protect your Personal Data to the same standards as it would be within the EEA
- Where the transfer is to the USA and the recipient is registered with Privacy Shield. Privacy Shield is a framework that ensures Personal Data is protected to a level approved by the EU. Read more about Privacy Shield [on the European Commission Justice website](#).

Changes to Privacy notice

DSS Privacy notice will be reviewed annually on 25th May each year starting 2019. Any changes or revisions made before the annual review will be communicated to you directly as well as being available on DSS website.

This policy was last updated on 23rd January 2020.

Registered Office

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UK Registered Company Number: 08205822