

## Data Protection

CEAL (Cambridge Equine Assisted Learning) is committed to the security of personal data from learners and is registered with the Information Commission under the Data Protection Act because it collects and stores personal data about learners and staff who attend alternative education, equine assisted learning sessions or undertake qualifications.

### Data is collected from:

- learners on courses
- learners taking qualifications
- people who sign up to receive our newsletter
- people who register for e-learning.

### GDPR

The Data Protection Act 2018 is the UK's implementation of the General Data Protection Regulation (GDPR) and we comply with the requirements of the Data Protection Act 2018. New data protection legislation came into force on 25 May 2018 and replaced the UK Data Protection Act. The new General Data Protection Regulation (GDPR) provides a modernised, accountability-based compliance framework for data protection in Europe. It is intended to strengthen privacy rights in relation to personal information.

### Terminology

The UK GDPR applies to 'controllers' and 'processors'.

A data controller determines the purposes and means of processing personal data. A processor is responsible for processing personal data on behalf of a controller. The UK GDPR places specific legal obligations on the data processor, for example, they are required to maintain records of personal data and processing activities. They will have legal liability if they are responsible for a breach.

The UK GDPR places further obligations on the Data controller to ensure their contracts with processors comply with the UK GDPR.

The UK GDPR applies to processing carried out by organisations operating within the UK. It also applies to organisations outside the UK that offer goods or services to individuals in the UK. The UK GDPR does not apply to certain activities including processing covered by the Law Enforcement Directive, processing for national security purposes and processing carried out by individuals purely for personal/household activities.

The new accountability principle in Article 5(2) of the GDPR requires data controllers to demonstrate that they comply with the good practice principles set out in the Regulation, and states explicitly that this is their responsibility. CEAL is the data controller of the personal information you provide to us.

This Notice sets out most of your rights under the new laws. Further information can be found on the Information Commissioners website: <https://ico.org.uk/for-organisations/data-protection-reform/overview-of-the-gdpr>

The categories of learner information that we collect, hold and share include:

- Personal information (such as name, unique learner number and address)
- Characteristics (such as ethnicity, language, nationality)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information
- Qualifications registered, taken and achieved
- Relevant medical information
- Special Educational Needs information including EHCPs
- Behavioural information.

## **Why we collect and use this information**

We use the learner data to:

- support the learner's learning
- assess for qualifications
- monitor and report on learner progress
- provide appropriate pastoral care
- assess the quality of our services
- comply with the law regarding data sharing
- assist with our administration and communication systems – for example, text messaging during sessions.
- provide information to the awarding organisations about learners and their achievements
- send certificates
- send email communications.

## **The lawful basis on which we use this information**

We collect and use learner information in accordance with the lawful basis for collecting and using learner information specified in the GDPR (Articles 6 and 8).

- Processing is necessary for compliance with a legal obligation – an example is Education Act 1996 census – this information can be found in the census guide documents on the following website <https://www.gov.uk/education/data-collection-and-censuses-for-schools>
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
- Explicit consent of the data subject

## **Collecting learner information**

Whilst most learner information CEAL provides us is mandatory, some of it is provided on a voluntary basis. To comply with the General Data Protection Regulation, CEAL will be informed whether CEAL is required to provide certain learner information to us or if CEAL has a choice in this.

## **Consent**

CEAL asks parents / carers / learners to sign a consent form before it takes photos or video and makes it clear how these images will be used.

## **Storing learner data**

Learner data is stored securely in accordance with the ICO guidelines on paper and online. Sensitive learner information, eg EHCP, is stored only for as long as is needed. Sending and receiving of sensitive data is via secure, password-protected, online

systems.

## **Who we share learner information with**

We routinely share learner information with:

- Awarding organisations
- Local authority case workers
- Schools / colleges that learners attend after leaving us
- Our local authority administrators
- NHS
- Educational support system providers such as CAMHS.

## **Why we share learner information**

CEAL does not share information about our learners with anyone without consent unless the law and our policies allow us to do so. This data sharing underpins educational attainment and monitoring. We are required to share information about our learners with our local authority (LA) if the learner has been funded through the local authority.

You have the right to:

- Object to processing of personal data that is likely to cause, or is causing, damage or distress
- Prevent processing for the purpose of direct marketing
- Object to decisions being taken by automated means
- In certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- Claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way CEAL is collecting or using your personal data, CEAL requests that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/> Contact

If you would like to discuss anything in this privacy notice, please contact centre manager Sophie Keene.

## **Third parties**

CEAL needs to share information about learners with the relevant awarding organisation and occasionally with schools or the local authority to update qualification data, EHCP or monitoring information.

## **More information can be found at:**

<https://ico.org.uk>

Proprietor's Signature: Sophie Keene

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