



Stokehill Education and Training Limited Privacy Policy

WHO WE ARE

Stokehill Education and Training Limited ("Stokehill") is a company limited by shares, registration number 09876971. For day to day communications, the organisation is referred to as Stokehill.

Stokehill is a Data Controller for the purposes of Data Protection Law¹ which means it determines how an individual's personal data is processed and for what purposes.

WHAT THIS POLICY IS FOR

This policy is intended to provide information about how Stokehill will use (or "process") personal data about individuals including: its personnel, its current, past and prospective clients, and in the case of visiting pupils, their parents, carers or guardians (referred to in this policy as "parents").

This information is provided in accordance with the rights of individuals under Data Protection Law to understand how their data is used. Stokehill personnel and clients are all encouraged to read this Privacy Notice and understand Stokehill's obligations to its entire community.

This Privacy Notice applies alongside any other information Stokehill may provide about a particular use of personal data, for example when collecting data via an online or paper form.

This Privacy Notice also applies in addition to Stokehill's other relevant terms and conditions and policies, including, but not limited to:

- any contract between Stokehill and its personnel or clients;
- Stokehill's policy on taking, storing and using images of clients;
- Stokehill's policy on the use of CCTV and related security systems;
- Stokehill's safeguarding and pastoral policies;
- Stokehill's Health and Safety policy, including how concerns or incidents are recorded;

Anyone who works for, or acts on behalf of, Stokehill (including school personnel, volunteers, governors and service providers) should also be aware of and comply with this Privacy Notice and Stokehill's Data Protection policy, which also provides further information about how personal data about those individuals will be used.

¹ The Data Protection Act 1998 and the General Data Protection Regulation (GDPR) from 25 May 2018

² Stokehill personnel includes employed staff (current, past and prospective), self-employed persons and volunteers

RESPONSIBILITY FOR DATA PROTECTION

Stokehill has appointed the Director to deal with all your requests and enquiries concerning Stokehill's uses of your personal data (see section on Your Rights below) and endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law.

Requests and enquiries should be sent to the Director at debbiehicks@stokehill.com



WHY Stokehill NEEDS TO PROCESS PERSONAL DATA

In order to carry out its ordinary duties to its personnel and clients, Stokehill may process a wide range of personal data about individuals (including current, past and prospective personnel, clients as part of its daily operation.

Some of this activity Stokehill will need to carry out in order to fulfil its legal rights, duties or obligations – including those under a contract with its personnel, or clients.

Other uses of personal data will be made in accordance with Stokehill's legitimate interests, or the legitimate interests of another, provided that these are not outweighed by the impact on individuals, and provided it does not involve special or sensitive types of data.

Stokehill expects that the following uses may fall within that category of its (or its community's) "legitimate interests":

For the purposes of personnel and client selection (and to confirm the identity of prospective personnel and clients);

To provide education and therapeutic services,

Maintaining relationships with clients and Stokehill community, including direct marketing or fundraising activity;

For the purposes of donor due diligence, and to confirm the identity of prospective donors and their background and relevant interests;

For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as diversity or gender pay gap analysis and taxation records);

To enable relevant authorities to monitor Stokehill's performance and to intervene or assist with incidents as appropriate;

To give and receive information and references about past, current and prospective personnel and to provide references to potential employers;

To safeguard clients' welfare and provide appropriate pastoral care;

To fulfil contractual and legal obligations

To make use of photographic images of pupils in School publications, on Stokehill website and (where appropriate) on Stokehill's social media channels in accordance with Stokehill's IS Acceptable Use policy;

For security purposes, including CCTV and related security records in accordance with Stokehill's CCTV policy; and

Where otherwise reasonably necessary for Stokehill's purposes, including to obtain appropriate professional advice and insurance for Stokehill.

In addition, Stokehill may need to process special category personal data (concerning health, ethnicity, religion, or sexual life) or criminal records information (such as when carrying out DBS checks) in accordance with rights or duties imposed on it by law, including as regards safeguarding and employment, or from time to time by explicit consent where required. These reasons may include:

To safeguard clients' welfare and provide appropriate pastoral (and where necessary, medical) care, and to take appropriate action in the event of an emergency, incident or accident, including by disclosing details of an individual's medical condition where it is in the individual's interests to do so: for example for medical advice, social services, insurance purposes or to organisers of School trips;

In connection with employment of its personnel, for example DBS checks, welfare or pension plans;

As part of any complaints, disciplinary or investigation process that involves such data, for example if there are SEN, health or safeguarding elements; or

For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with its legal obligations and duties of care.



TYPES OF PERSONAL DATA PROCESSED BY Stokehill

This may include, by way of example, but not limited to:
names, addresses, telephone numbers, e-mail addresses and other contact details;
car details (about those who use our car parking facilities);
past, present and prospective clients' employment information;
where appropriate, information about individuals' health, and contact details for their next of kin;
references given or received by Stokehill about personnel and information provided by previous employers;
images of pupils (and occasionally other individuals) engaging in activities, and images captured by Stokehill's CCTV system (in accordance with the IS Acceptable Use policy and CCTV policy);
information relating to past, present and prospective personnel;

HOW Stokehill COLLECTS DATA

Generally, Stokehill receives personal data from the individual directly (including, in the case of pupils, from their own schools). This may be via a form, or simply in the ordinary course of interaction or communication (such as email or written assessments). However in some cases personal data may be supplied by third parties (for example another School, or other professionals or authorities working with that individual); or collected from publicly available resources.

WHO HAS ACCESS TO PERSONAL DATA AND WHO Stokehill SHARES IT WITH

Occasionally, Stokehill will need to share personal information relating to its community with third parties, such as professional advisers (lawyers and accountants) or relevant authorities (HMRC, police or the local authority).

For the most part, personal data collected by Stokehill will remain within Stokehill, and will be processed by appropriate individuals only in accordance with access protocols. Particularly strict rules of access apply in the context of:
safeguarding files

However, a certain amount of any medical, pastoral and Special Educational Needs (SEN) client relevant information, will need to be provided to personnel more widely in the context of providing the necessary care and education that the client requires.

Personnel, pupils and parents are reminded that Stokehill is under duties imposed by law and statutory guidance (including Keeping Children Safe in Education) to record or report incidents and concerns that arise or are reported to it, in some cases regardless of whether they are proven, if they meet a certain threshold of seriousness in their nature or regularity. This may include file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities such as Social Services or police. For further information about this, please view Stokehill's Safeguarding Policies.

Finally, in accordance with Data Protection Law, some of Stokehill's processing activity is carried out on its behalf by third parties, such as IT systems, web developers, cloud storage and social media providers⁴. Where possible this is subject to contractual assurances that personal data will be kept securely and only in accordance with Stokehill's specific directions.

HOW LONG WE KEEP PERSONAL DATA

Stokehill will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason. Typically, the legal recommendation for how long to keep ordinary personnel and pupil personnel files is up to 7 years following departure from Stokehill.



However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

Personal data pertaining to prospective personnel and their application process will be removed from Stokehill systems after 2 years.

All email correspondence is retained for up to 3 years, after which time it is removed from live and archive email systems, along with any personal data contained within.

If you have any specific queries about how this policy is applied, or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact debbiehicks@stokehill.com However, please bear in mind that Stokehill may have lawful and necessary reasons to hold on to some data.

KEEPING IN TOUCH AND SUPPORTING Stokehill

Stokehill may use the contact details of clients and other members of Stokehill community to keep them updated about the activities of Stokehill, including by sending updates and newsletters, by email and by post.

Should you wish to limit or object to any such use, or would like further information about them, please contact the Director in writing. You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, Stokehill may need nonetheless to retain some of your details (not least to ensure that no more communications are sent to that particular address, email or telephone number).

YOUR RIGHTS

Individuals have various rights under Data Protection Law to access and understand personal data about them held by Stokehill, and in some cases ask for it to be erased or amended or for Stokehill to stop processing it, but subject to certain exemptions and limitations.

Any individual wishing to access or amend their personal data, or wishing it to be transferred to another person or organisation, should put their request in writing to the Director at debbiehicks@stokehill.com

Stokehill will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event within statutory time-limits, which is one month in the case of requests for access to information. Stokehill will be better able to respond quickly to smaller, targeted requests for information.

You should be aware that certain data is exempt from the right of access. This may include information which identifies other individuals, or information which is subject to legal professional privilege.

Pupils where supported by their parents, can make subject access requests for their own personal data. Indeed, while a person with parental responsibility will generally be expected to make a subject access request on behalf of younger pupils, the information in question is always considered to be the child's at law. A pupil of any age may ask a parent or other legal representative to make a subject access request on her behalf, and moreover (if of sufficient age) their consent or authority may need to be sought by the parent. Pupils aged 13+ are generally assumed to have this level of maturity, although this will depend on both the child and the personal data requested, including any relevant circumstances at home. Pupils younger than 13 may be sufficiently mature to have a say in this decision. All subject access requests from pupils will therefore be considered on a case by case basis.

Where Stokehill is relying on consent as a means to process personal data, any person may withdraw this consent at any time (subject to similar age considerations as above). Please be aware however that Stokehill may have another lawful reason to process the personal data in question even without your consent.



That reason will usually have been asserted under this Privacy Notice or may otherwise exist under some form of contract or agreement with the individual (e.g. an employment or parent contract, or because a purchase of goods, services or membership of an organisation has been requested).

WHOSE RIGHTS

The rights under Data Protection Law belong to the individual to whom the data relates. However, Stokehill will often rely on parental consent to process personal data relating to pupils (if consent is required) unless, given the nature of the processing in question, and the pupil's age and understanding, it is more appropriate to rely on the pupil's consent.

Parents should be aware that in such situations they may not be consulted, depending on the interests of the child, the parents' rights at law or under their contract, and all the circumstances. In general, Stokehill will assume that pupils' consent is not required for ordinary disclosure of their personal data to their parents, e.g. for the purposes of keeping parents informed about the pupil's activities, progress and behaviour, and in the interests of the pupil's welfare, unless, in Stokehill's opinion, there is a good reason to do otherwise.

However, where a pupil seeks to raise concerns confidentially with a member of personnel and expressly withholds their agreement to their personal data being disclosed to their parents, Stokehill may be under an obligation to maintain confidentiality unless, in Stokehill's opinion, there is a good reason to do otherwise; for example where Stokehill believes disclosure will be in the best interests of the pupil or other pupils, or if required by law.

Personnel and pupils are required to respect the personal data and privacy of others, and to comply with Stokehill's relevant policies.

DATA ACCURACY AND SECURITY

Stokehill will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Individuals must notify Stokehill at least on an annual basis of any changes to information held about them. Responsibility for changes in information relating to pupils, rests with the parent.

An individual has the right to request that any inaccurate or out-of-date information about them is erased or corrected (subject to certain exemptions and limitations under the Act): please see above.

Stokehill will take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies around use of technology and devices, and access to systems. All School personnel will be made aware of this policy and their duties under Data Protection Law and receive relevant training.

QUERIES AND COMPLAINTS

Any comments or queries on this policy should be directed to the Director at debbiehicks@stokehill.com

If an individual believes that Stokehill has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should utilise Stokehill complaints or grievance procedure. Stokehill can also make a referral to, or lodge a complaint with the Information Commissioner's Office (ICO), although the ICO recommends that steps are taken to resolve the matter with Stokehill before involving the regulator.