



Privacy Policy 2018 –Final Draft

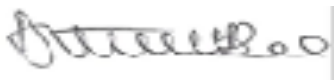
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1. GDPR MAIN PRINCIPLES

Write-Trak is registered as a data controller with the Information Commissioner's Office, reference Number: Z5351716 our named contact is Anna Turner-Bee.

Article 5(2) requires that: "the controller shall be responsible for, and be able to demonstrate, compliance with the principles." Pupils, potential pupils, and staff and workforce are data subjects, and their "Personal data" should be:

- Processed lawfully, fairly and in a transparent manner in relation to individuals;
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and
- Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

The definition of a data controller and a data processor

The determining factor between a data controller and a data processor is who has control of the data. According to the Information Commissioner, a controller "determines the purposes and means of processing personal data". A processor, on the other hand, "is responsible for processing personal data on behalf of a controller[2]".

Accountability and compliance

The company in demonstrating this, aim to implement the following 7 accountability behaviours:

1. have a clear governance structure with established roles and responsibilities;
2. have a clear, concise record of all the data processing the business undertakes;
3. clearly document GDPR policies and procedures and make sure these are shared and available with all data subjects and data processors;
4. have a documented action plan to cover what must happen in the case of a data security breach ensuring GDPR reporting requirements can be met;
5. ensure there are appropriate measures implemented to protect personal data;
6. have a program of staff training and awareness and document it;
7. appoint a Data Protection Officer ("DPO") where required.

2. DATA ACCESS

Requesting access to your personal data

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, Anna Turner-Bee anna.turner-bee@writetrak.co.uk Address _____

You also have the right to:

1. object to processing of personal data that is likely to cause, or is causing, damage or distress
2. prevent processing for the purpose of direct marketing
3. object to decisions being taken by automated means
4. in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
5. claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request 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/>

3. SECURITY

The company take proportionate technical, physical and organisational measures to ensure that all personal and sensitive personal data is held securely and protected from destruction, loss, unauthorised access and disclosure.

Appropriate obligations will be incorporated into contracts with all other third parties.

The company ensure that all personal data is processed (which includes stored) in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

4. DATA BREACHES

We recognise that mistakes can happen and advice is available to staff, who must report breaches to the Company Directors immediately in order for incidents to be assessed consistently. If there is a data breach, it may be for one of the following reasons:

1. a breach of confidentiality (someone gains access to information who shouldn't have access to it);

2. access by an unauthorised third party
3. deliberate or accidental action (or inaction) by a controller or processor
4. sending personal data to an incorrect recipient
5. computing devices containing personal data being lost or stolen
6. alteration of personal data without permission
7. loss of availability of personal data.

Breaches will be notified to the data subject and the Information Commissioner's Office (ICO) within 72 hours of being discovered and when required in line with ICO guidance. Any concerns regarding a breach of the DPA by Write-Trak should be addressed to the Company Directors

5. ACCIDENT REPORTS

We keep accident records for any pupils, visitors or staff who are involved in accidents at our office or tutors work environments in accordance with UK Health and Safety legislation including the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR).

This is to comply with the law and to secure evidence in the event of criminal proceedings, civil litigation, an insurance claim or complaint.

6. TRANSPORT OF DATA

Should any member of staff or Write-Traks' workforce be transferring pupils notes etc. from one place to another, the company recommend that all staff and workforce employees keep them with them at all times.

Pupils notes etc. must not ever be in plain view in an unattended car or be left in a briefcase or shopping bag unattended in a public place such as a bar or coffee shop.

7. DESTRUCTION OF DATA

The company comply with obligations under the GDPR by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.

The company securely store all data that is to be destroyed. Data kept on the company's computers is permanently deleted once it is at the end of the retention time. Paper records are securely and permanently destroyed.

8. STAFF PRIVACY NOTICE

How we use staff and workforce information.

This information is for all staff, employees of or individuals or companies otherwise engaged to work for or on behalf of Write-Trak directly or indirectly, to explain how we use their personal information.

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

1. personal information (such as name, address, telephone number, employee or teacher number, national insurance number, email, DBS number and information),
2. special categories of data including characteristics information such as gender, age, ethnic group, etc.
3. contract information (such as start dates, hours worked, post, roles and salary information),
4. payroll information such as tax code, national insurance number, pension information
5. work absence information (such as number of absences and reasons)
6. qualifications (and, where relevant, subjects taught,)

Why we collect and use this information

We use this workforce data to:

1. enable the development of a comprehensive picture of the workforce and how it is deployed
2. inform the development of recruitment and retention policies
3. enable individuals to be paid
4. enable students to be placed in a teaching environment.
5. Enable staff to invigilate examinations
6. Enable parents and carers to contact staff in relation to placed students.

Collecting this information

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform

you whether you are required to provide certain workforce information to us, or if you have a choice in this.

Retention of information

We keep workforce data for no longer than reasonably necessary. We hold workforce data for a minimum of 7 years to enable the provision of employment references, as potential evidence in the event of a criminal prosecution, civil litigation, insurance claim or complaint and for safeguarding purposes.

Who we share this information with

We routinely share some of this information with:

1. Local authorities Education, Health and Care
2. the Department for Education (DfE)
3. Schools, Special schools, Colleges, pupil referral units and independent education providers.
4. Examination Boards.
5. Parents and carers.
6. To support transport of pupils

Why we share Write-Traks workforce information

We do not share information about workforce members with anyone without consent unless the law and our policies allow us to do so.

- Local authorities Education, Health and Care

We are required to share information about our workforce members with local authorities (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

- Department for Education (DfE)

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to funding / expenditure and the assessment educational attainment.

- Schools, Special schools, Colleges, Pupil Referral Units and Independent education providers.

We are required to pass information about our staff to the Schools, Special schools, Colleges, pupil referral units and independent education providers under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

- Examination Boards

To ensure exam regulations are met.

- Parents and carers

To support pupils placement with Write-Trak workforce

To ensure pupils safeguarding.

- Transport

To support pupils placement with Write-Trak workforce

To ensure pupils safeguarding

Sharing your personal data

Your personal data will be treated as strictly confidential, and will be shared:

with named third parties with your explicit consent;

- with the relevant authority such as the police or a court, if necessary for compliance with a legal obligation to which we are subject e.g. a court order;
- with your doctor or the police if necessary to protect yours or another person's life;
- with the police or a local authority for the purpose of safeguarding a children or vulnerable adults; or
- with the company's insurance company in the event of a complaint or insurance claim being brought against you; or
- the company's solicitor in the event of any investigation or legal proceedings being

brought against you.

For further details about the situations when information about you might be shared please see the Information Commissioner's website at <https://ico.org.uk/for-the-public/personal-information/sharing-my-info/>

9. PUPILS PRIVACY NOTICE

How we use pupil information

This information is for all pupils, or individuals engaged to use the services for or on behalf of Write-Trak directly or indirectly, to explain how we use pupils personal information.

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

- Personal information (such as name, date of birth, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth, special needs, disabilities)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- information relating to episodes of being a child in need (such as referral information, assessment information, Section 47 information, Initial Child Protection information and Child Protection Plan information)
- episodes of being looked after (such as important dates, information on placements)
- outcomes for looked after children (such as whether health and dental assessments are up to date, strengths and difficulties questionnaire scores and offending)
- Assessment information (Reports and results)
- Relevant medical information
- Special educational needs information
- Exclusions and Incident reports
- Behavioural information,
- Examination information (Results and entries)
- PEP (Personal Educational Plans)
- EHCP (Education Health & Care Plans)
- Post 16 learning information
- Timetabling of tutorial sessions

- Accident and incident reports

Why we collect and use this information

We use the pupil data:

- to support pupil learning and monitor their educational progress
- to support pupils social and healthcare services
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- assess the quality of our services
- to assess the quality of our services
- to comply with the law regarding data sharing
- To provide tutorial sessions
- work in partnership with all agencies involved
- To support transport of pupils

Collecting pupil information

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

Who we share pupil information with

We routinely share pupil information with:

- Schools that the pupil has attend before coming to us
- Schools / Colleges / Work based training that the pupil's attend after leaving us
- Education authorities (Local and other)
- Local Health authorities
- Local Social Care authorities
- Health services such as CAMHS
- Attendance and Advisory services
- Youth Offending Team and support services
- Transport
- Colleges / work based training providers
- Write-Trak tutors and workforce.

Why we share pupil information.

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

We share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are required to pass information about our pupils to the Department for Education (DfE) under regulation 4 of The Education (Information About Individual Pupils) (England) Regulations 2013.

- Schools that the pupil has attend before coming to us

The Schools are the referrers of the pupils that we support

- To support pupil learning

Schools / Colleges / Work based training that pupil's attend after leaving us

Positive Transition

Appropriate moving on provision

- Local Education authorities

Referrers of students

To ensure appropriate Educational provision that meet the students' needs

To support learning as identified within the pupils Educational Health Care Plan and (EHCP) Personal Educational Plan (PEP)

- Local Health authorities

To support health plans within the EHCP's and PEPs

To support the pupils health needs

- Local Social Care authorities

To ensure that there is appropriate safeguarding of the pupil

To support the pupils identified care needs

- Health services such as CAMHS

To ensure that there is appropriate safeguarding of the pupil

To support the pupils identified care needs

- Attendance and Advisory services

To support pupils attendance and educational needs

- Youth Offending Team and support services

To support the pupil to with any orders set out by the YOT team.

- Transport

To support the pupil to attend agreed timetabled sessions

- Colleges / work based training providers

- Write-Trak tutors and workforce

To enable the tutors to support the pupils EHCP plans and PEP

To ensure students needs are met

To ensure safeguarding is in place

To ensure students' make academic, social and behavioural progress

Retaining pupil data

We keep personal data for no longer than reasonably necessary. We hold pupil data for a minimum of 7 years for educational purposes and to secure potential evidence in the event of a criminal prosecution, civil litigation, insurance claim or complaint and for safeguarding purposes.

Pupils aged 13+

Once our pupils reach the age of 13, we also pass pupil information to our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- youth support services
- careers advisers

A parent or guardian can request that only their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / pupil once he/she reaches the age 16.

Pupils aged 16+

We will also share certain information about pupils aged 16+ with our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- post-16 education and training providers
- youth support services

careers advisers

For more information about services for young people, please visit our local authority website.

10.CONTACT

If you would like to discuss anything in this privacy notice, please contact Anna Turner-Bee anna.turner-bee@writetrak.co.uk

11.PRIVACY NOTICE CONSENT FORM

Name

Address

Email address

Phone number

By signing this form you are confirming that you are consenting to Write-Trak holding and processing your personal data for the purposes listed above.

I consent to Write-Trak contacting me by (please tick appropriate boxes)

Post Phone E-mail.

I confirm that these details provided are correct.

I consent to Write-Trak holding and processing my personal data in line with their policies.

Signed

Date

Print your name