



# **Data Protection Policy**

## **(General Data Protection Protocol)**

August 2018

*To be reviewed: August 2019*

## Introduction

Information sharing is the key to delivering better and more efficient services that are coordinated around the needs of a young person. Savvy Education recognises that the more information we share, the more important is that people are confident that their personal data is kept safe and secure.

The Data Protection Act 1998 (DPA) covers any information held about a living, identifiable individual. It gives individuals the right to know what information a service may hold about the individual. It also provides a framework to ensure that a service handles information properly. The DPA creates rights for those who have their data stored, and responsibilities for those who process personal data.

The Act works in two ways. Firstly, it states that anyone who processes personal information must comply with eight principles. Secondly, it provides individuals with important rights, including the right to find out what information is held on computer and paper records.

This policy aims to ensure that Savvy Education applies appropriate measures are in place to comply with the DPA (1998).

### **Personal information:**

- Must be proceed fairly and lawfully
- Must be only obtained for lawful purposed
- Must be adequate, relevant and not excessive
- Must be accurate and (where necessary) kept up-to-date
- Shall not be kept longer than necessary
- Must be kept secure
- Must not be transferred to people without appropriate permission

### **Information Sharing**

There are two types of information sharing. One involves two or more organisations sharing information between them. This may lead to a specific disclosure on a one-off basis or regular sharing of information on a larger scale. The second involves the sharing of information within a service or organisation.

Where Savvy Education intend to share personal information, the shall ensure that an “Information Sharing Protocol” is in place.

It will be the responsibility of the Director or Senior Tutor to:

- Ensure compliance with the Data Protection Act
- Ensure any specific responsibilities for Data Protection are recorded in Tutor/Mentor profiles or the profiles of students
- Arrange for Subject Access Requests to be carried out, if needed

- Ensure that consultants/contractors are made aware of their obligations under this policy
- Monitor compliance with this policy

It is everyone's responsibility to understand and implement the eight Data Protection Principles (see Appendix 1) and report any breaches of the DPA.

### **Breaches and non-compliance**

Breaching the Data Protection Act could lead to fines of up to £500,000 being issued from the Information Commissioner's Office. Possible criminal or civil action could be actioned against Savvy Education or the individual(s) involved.

### **Legal requirements**

The following legal documents have a bearing, or impinge on this policy:

- Data Protection Act 1998
- Freedom of Information Act 2000
- Human Rights Act 1998

### **Useful Terminology:**

Personal data	defined as data relating to a living individual that can be identified from that data
Sensitive personal data	defined as personal data consisting of information relating to: racial or ethnic origin, political opinion, beliefs, physical or mental health condition, sexual life or criminal proceedings or convictions.
Processing data	obtaining, recording or holding information or data or carrying out any operation or set of operations on the information or data
Data Controller	Savvy Education
Data Processor	anyone who processes data on behalf of the Data Controller

## Appendix 1

(Taken from ICO website)

### **Data protection principles**

Schedule 1 to the Data Protection Act lists the data protection principles in the following terms:

1. Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless –
  - (a) at least one of the conditions in Schedule 2 is met, and
  - (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.
2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
6. Personal data shall be processed in accordance with the rights of data subjects under this Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data

# General Data Protection Protocol (2018)

## Savvy Education PRIVACY NOTICE

We at Savvy Education want to make sure all the personal details we hold about you are safe and secure. We have put together this note to tell you how we do this and what to do if you have any questions or want to see the information we have collected. In legal terms we are **a data controller** which means we have control over how your details are used and who we pass them on to.

We have appointed an individual called a “**Senior Information Controller (SIC)**” to make sure that we are being careful with your information. Our SIRO is Michael Leishman. If you have any questions he can be contacted on 01326 567443 or by e-mail at [michael@savvyeducation.co.uk](mailto:michael@savvyeducation.co.uk).

### 1. WHAT TYPE OF DETAILS DO WE COLLECT FROM YOU?

#### ***Students and their parent/carers***

We might collect the following **personal details** about you before or during the time a student is referred to Savvy Education, such as:

- Student’s first name and last initial
- Student’s gender;
- Student’s school;
- Student’s year group;
- Details of how we can contact the parents/carers, such as parent/carer name, email address, where you live and phone number
- Records that tell us when a student attended lessons or was absent for lessons
- Details of family members or other people we might need to contact in case of an emergency;
- Any disciplinary information or details of any issues you have us, or we have with you.

#### ***Consultants***

- Name
- Date of birth

- Teacher registration details
- References (two)
- Details of previous work experience

2. **SPECIAL CATEGORIES OF PERSONAL INFORMATION**

We may also hold and use what is called “**special information**”. We record information about your;

- Health (any injuries or illnesses you may suffer from).
- Specific diagnosis
- Special needs information
- Medical needs information

The table below tells you how we use this **special information**. We will only use this information if we have a good reason to do so such as:

- we have a lawful reason to use it
- when we have a duty of care towards you; or
- you have told us you are happy for us to use it.

In the table below, we refer to these as the “**special reasons**”.

3. **WHERE DO WE GET THIS INFORMATION FROM?**

We collect personal information about you when schools and/or parents complete Savvy Education’s Referral form, by phone or when you send us information by e-mail (for example when asking for further information). We also get information from our initial meetings and in our tuition sessions.

4. **HOW DO WE USE YOUR INFORMATION?**

What do we use your information for?	What type of information do we use?	What reason do we have to use it
<b>To make sure your tuition with us runs smoothly and we can provide the very best service for you.</b>	Parent/carer and Student details	We need all this information to make sure we do a good job in liaising and attending tuition sessions in the home.
<b>To keep records of your attendance</b>	First name/Student Code	To monitor the attendance

<p><b>To communicate directly with you</b></p>	<p>Email and phone number provided</p>	<p>We need all this information to make sure we do a good job in managing the tuition</p>
<p><b>To help you if you have a question or you are not happy with something we have done.</b></p>	<p>Contact details of parent/carer, referrer details</p>	<p>It is in our interests to make sure we deal with any issues you have quickly.</p>
<p><b>We will keep all your details on our files.</b></p>	<p>All of your personal details.</p>	<p>It is in our interests to hold your details on file, so we can deal with any issues with the referral and to make sure we do a good job, including safeguarding students.</p> <p>If we use any '<b>special information</b>', we will only do so based on one of the '<b>special reasons</b>' we talked about above.</p>
<p><b>We might use details about student health (including any injuries, conditions, diagnoses or disability) to make sure your education environment is suitable for students</b></p>	<p>details about student health</p>	<p>We will only use this '<b>special information</b>', based on one of the '<b>special reasons</b>' we talked about above.</p> <p>Individual Consultants are provided with this information only as they need to know to assist them plan lessons.</p>

5. **HOW CAN YOU STOP US FROM CONTACTING YOU?**

Sometimes we may wish to contact you by email, phone or text message to tell you information, such as a change in lesson or event. This is important information to be able to safeguard students. However, you can ring or email us to find out what information we hold, and have it deleted if you wish.

6. **WHO ELSE MAY USE YOUR DETAILS?**

We may send your details to others to help us run our organisation. These are:

- **Consultants** that are registered with Savvy Education and provide Tuition to Students.
  - **The Government or our regulators:** where the law tells us to do so or to help them with any investigations.
  - **Police, law enforcement and security services:** to help them with any investigation, prevention of crime or matter of national security.
  - **Schools:** to update their own information if necessary
7. **ARE YOUR DETAILS SAFE?**

We have security measures to make sure your details don't go missing or get used in a way they shouldn't be. We have a great team of people working with us who are trained to know how to use your details securely and will only use your details when and how we tell them to.

All 'data controllers' based in the European Union and the UK are subject to laws that make sure your personal details are kept safe. Data is stored securely on cloud-based devices and only people that have direct contact with the student/family have access to the information. We do not share your data with anyone outside Savvy Education unless we have your consent or a legal duty to do so.

8. **HOW LONG DO WE KEEP PERSONAL INFORMATION FOR?**

We hold information relating to students, their parents/carers and Consultants only while they are actively involved with Savvy Education Services. At the closure of tuition services, all data/information pertaining to a student/parent/carer is deleted at the first available opportunity (within a month of closing).

It is important to make sure that the details we hold about you is accurate and up-to-date, so make sure you let us know if anything like your email address or phone number changes. You can normally do this by contacting us at 01326567444 or by e-mail [admin@savvyeducation.co.uk](mailto:admin@savvyeducation.co.uk).

9. **WHAT ARE YOUR RIGHTS?**

***Did you know you can ask us to do lots of things with your details?***

You can ask us:

- to tell you how your details are being used;
- to provide you with a copy of all details we hold on you;
- to correct some of the details we hold if they are not correct or out of date like your contact details for example;
- to delete all of the details we hold on you (unless we have a good reason not to);
- to stop using your details in a certain way;

Some of the rights may not always apply to the personal details we hold for you as there are sometimes requirements and exemptions attached which mean we need to hold on to certain information and other times the rights may not apply at all. More information about these rights can be found online here <https://ico.org.uk/for-the-public/>.

**DON'T FORGET**, if you have any questions or are unhappy about something, please contact us at michael@savvyeducation.co.uk.

10. **WHAT HAPPENS IF WE NEED TO CHANGE THIS NOTICE?**

Keep an eye out for changes to this notice online. If we make big changes the version date at the bottom of the notice will be updated.

11. **HOW CAN YOU GET IN TOUCH?**

If you have a question or a complaint, you can always get in touch with one of our team by phoning 01326567444

**Version 1.1 dated 23 August, 2018**