

Privacy notice for parents and carers – use of your young person’s personal data

Sweet Futures Limited



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1. Introduction

Under data protection law, individuals have a right to be informed about how our company uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **young people at our company**.

This privacy notice applies while we believe your young person is not capable of understanding and exercising their own data protection rights.

Once your young person is able to understand their rights over their own data (generally considered to be age 12, but this has to be considered on a case-by-case basis), you should instead refer to our privacy notice for young people to see what rights they have over their own personal data. This can be found on our website.

We, Sweet Futures, 11 Burton Road, Finedon, Northants, NN9 5HX, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Geoff Littlewood (see 'Contact us' below).

2. The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about your young person includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Young person records
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers

We may also collect, use, store and share (when appropriate) information about your young person that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- Any medical conditions we need to be aware of, including physical and mental health
- Photographs and CCTV images

- › Characteristics, such as ethnic background or special educational needs

We may also hold data about your young person that we have received from other organisations, including schools and social services.

3. Why we use this data

We use the data listed above to:

- Support learning
- Monitor and report on progress
- Protect welfare
- Assess the quality of our services
- Comply with the law regarding data sharing

3.1 Use of your young person's personal data for marketing purposes

Where you have given us consent to do so, we may send your young person marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to them.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by clicking on the 'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

3.2 Use of your young person's personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

4. Our lawful basis for using this data

Our lawful bases for processing your young person's personal data for the purposes listed in section 3 above are as follows:

- › For the purposes of a), B), c), d), e), in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law as set out here:
 - Child protection and safeguarding

Where you have provided us with consent to use your young person's data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you would go about withdrawing consent if you wish to do so.

4.1 Our basis for using special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- › We have obtained your explicit consent to use your young person's personal data in a certain way
- › We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- › We need to protect an individual's vital interests (i.e. protect your young person's life or someone else's life), in situations where you're physically or legally incapable of giving consent
- › The data concerned has already been made manifestly public by you
- › We need to process it for the establishment, exercise or defence of legal claims

- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your young person's life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

5. Collecting this data

While the majority of information we collect about your young person is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

Most of the data we hold about your young person will come from you, but we may also hold data about your young person from:

- Local authorities
- Government departments or agencies
- Schools

6. How we store this data

We keep personal information about your young person while they are using our services. We may also keep it beyond their usage of services if this is necessary. Our record retention policy sets out how long we keep information about young people. This policy is available on our website.

We have put in place appropriate security measures to prevent your young person's personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your young person's personal data securely when we no longer need it.

7. Who we share data with

We do not share information about your young person with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law), we may share personal information about your young person with:

- › Our local authorities – to meet our legal obligations to share certain information with them, such as safeguarding concerns
- › Government departments or agencies
- › Suppliers and service providers:
- › Our auditors
- › Health authorities
- › Security organisations
- › Health and social welfare organisations
- › Police forces, courts, tribunals

7.1 Transferring data internationally

We may share personal information about your young person with the following international third parties outside of the European Economic Area, where different data protection legislation applies:

Where we transfer your young person's personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

8. Your rights

8.1 How to access personal information that we hold about your young person

You have a right to make a 'subject access request' to gain access to personal information that we hold about your young person.

If you make a subject access request, and if we do hold information about your young person, we will (subject to any exemptions that apply):

- › Give you a description of it
- › Tell you why we are holding and processing it, and how long we will keep it for
- › Explain where we got it from, if not from you
- › Tell you who it has been, or will be, shared with
- › Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- › Give you a copy of the information in an intelligible form

You may also have the right for your young person's personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

Once your young person is able to understand their rights over their own data (generally considered to be age 12, but this has to be considered on a case-by-case basis), we will need to obtain consent from your young person for you to make a subject access request on their behalf.

8.2 Your other rights regarding your young person's data

Under data protection law, you have certain rights regarding how your young person's personal data is used and kept safe. For example, you have the right to:

- › Object to our use of your young person's personal data
- › Prevent your young person's data being used to send direct marketing

- Object to and challenge the use of your young person's personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected
- In certain circumstances, have the personal data we hold about your young person deleted or destroyed, or restrict its processing
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact us (see 'Contact us' below).

Once your young person is able to understand their rights over their own data (generally considered to be age 12, but this has to be considered on a case-by-case basis), we will need to obtain consent from your young person for you to make these requests on their behalf.

9. Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

10. Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

- Geoff Littlewood, Sweet Futures Limited, 11 Burton Road, Finedon, NN9 5HX