

PRIVACY NOTICE FOR ADULTS IN THE HOME SETTING: USE OF YOUR PERSONAL DATA

Policy type	Recommended
Review period	Annual
Last reviewed on	Autumn 2024
Next review due	Summer 2025
Approval level	Executive Board

Approved by (Name, date, signature)

Executive Board, 25 September 2024
Executive Board Chair, David Kreyling
Published on



Omnia Foundation website

POLICY FOR PRIVACY FOR ADULTS IN THE HOME SETTING

Mission

We believe in investing in people. As professionals in the teaching and training professions, we strive to provide a better future for the children, young people and home settings we work with. Success for us means unleashing the potential of each individual so they can grow, develop and reach the potential of which they are capable. Our values are grounded in our determination to be the change we want to see in the world, through passion, commitment and integrity. We strive to plant a seed of kindness and compassion in a generation that will produce resilience and hope and enable them to aspire and achieve productive and fulfilled lives. Our success is measured in the lives we changed.

At the Omnia Foundation, we create a secure and safe environment that encourages communication, self-belief, mutual respect and success. We provide a rich and balanced curriculum that develops every child, allowing them to achieve their true potential.

Aims of the notice:

Under UK data protection law, individuals have a right to be informed about how the Omnia Foundation 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 **adults in the home settings of our students**.

We, Omnia Foundation, Rayleigh Town Sports & Social Club, London Road, Rayleigh, SS6 9DT, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Fiona Grocock (see 'Contact us' below).

This policy should be read in conjunction with [Data Protection Policy](#), [Privacy Notice General](#), [Data Management and Retention Policy](#), [Access Request Policy](#) and the [Data Breach Policy](#).

The personal data we hold

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

- Contact details and contact preferences (such as your name, address, email address and telephone numbers)
- Bank details
- Details of your family circumstances
- Details of any safeguarding information including court orders or professional involvement
- Records of your correspondence and contact with us
- Details of any complaints you have made

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

- Any health conditions you have that we need to be aware of
- Photographs and/or CCTV images captured in school

We may also hold data about you that we have received from other organisations, including other educational settings and social services.

Why we use this data

We use the data listed above to:

- a) Report to you on your child's attainment and progress
- b) Keep you informed about the running of the foundation (such as emergency closures) and events
- c) Process payments for damage
- d) Provide appropriate pastoral care
- e) Protect student welfare
- f) Administer admissions waiting lists
- g) Assess the quality of our services
- h) Carry out research
- i) Comply with our legal and statutory obligations

Use of your personal data for marketing purposes

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

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).

Use of your 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.

Our lawful basis for using this data

Our lawful bases for processing your personal data for the purposes listed above are as follows:

- 'public task' basis – we need to process data to fulfil our statutory function as an educational establishment
- 'legal obligation' basis – we need to process data to meet our responsibilities under law as set out here:
 - Keeping children safe in education 2022
- 'consent' basis – we will obtain consent from you to use your personal data
- 'vital interests' basis – we will use this personal data in a life-or-death situation
- 'contract' basis – we need to process personal data to fulfil a contract with you or to help you enter into a contract with us
- 'legitimate interests' basis – where there's a minimal privacy impact and we have a compelling reason.

Where you have provided us with consent to use your 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.

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 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 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
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- 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 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

Collecting this data

While the majority of information we collect about you 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 you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Your children
- Police forces, courts, tribunals

How we store this data

We keep personal information about you while your child is attending the foundation. We may also keep it beyond their attendance at the foundation if this is necessary. Our data retention and records management policy sets out how long we keep information about adults in the home setting.

We have put in place appropriate security measures to prevent your personal information being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. For example, all the data we collect is stored on our web-based management information system to which we pay a subscription and which is only accessible by approved members of staff and is password protected.

We will dispose of your personal data securely when we no longer need it.

Who we share data with

We do not share information about you 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 you with:

- Local authority child is placed with us from and our local authority Essex- to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- Government departments or agencies
- Our regulators, Ofsted, Independent Schools Inspectorate
- Suppliers and service providers:
 - Other organisations within the CSL Group
 - Mtech Communications
- CPOMS
- Arbour
- Financial organisations

- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals

Transferring data internationally

Where we transfer your personal data to a country or territory outside the United Kingdom, 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.

Your rights

How to access personal information that we hold about you

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

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may 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 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).

Your other rights regarding your data

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

- Object to our use of your personal data
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your 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 you 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).

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

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**:

- Fiona Grocock email address: f.grocock@omniafoundation.co.uk , contact number 01268551910

Monitoring & Review

This policy will be monitored periodically and reviewed annually by the Head of Foundation with the Data Protection Officer.
