

PRIVACY NOTICE

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Executive Board Chair, David Kreyling
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POLICY FOR GENERAL PRIVACY

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:

We respect you and your child's privacy and are committed to complying with privacy legislation. The information below is what is referred to as a 'Privacy Notice' which explains how we use and protect your personal information.

We have a Data Protection Officer whose role it is to ensure that any personal information processed by the school is processed fairly and lawfully. If you have any concerns or questions regarding how we look after your personal information, please contact the Data Protection Officer, Fiona Grocock email address: f.grocock@omniafoundation.co.uk

This policy should be read in conjunction with Data Protection Policy, Privacy Notice for Adults in the Home Setting, Data Management and Retention Policy, Access Request Policy and the Data Breach Policy.

What is Personal Information?

Personal information is often records that can identify and relate to a living person. This can also include information that when put together with other information can then identify a person, for example online identifiers or location data.

What are Special Categories of Information?

This is personal information that needs more protection due to its sensitivity. This information is likely to include:

- sexuality and sexual health
- religious or philosophical beliefs
- ethnicity
- physical or mental health
- trade union membership
- political opinion
- genetic/biometric information

How do we limit the use of personal information?

We use personal information to work effectively in outreach with our students/service users; but wherever possible, the information that we process will be anonymised, pseudonymised or depersonalised. This means the information can no longer identify a person.

When using personal information for research purposes, the information will be anonymised/ pseudonymised to avoid the identification of a person, unless you have agreed that your personal information can be used for the research project. We do not sell personal information to any other organisation for the purposes of selling products.

Why do we use personal information?

We use personal information to help us run the foundation effectively, deliver quality mentoring, and safeguard students/service users and staff.

Your privacy rights

The law provides you with a number of rights to control the processing of your personal information:

Accessing the information we hold about you

You have the right to ask for all the information we have about you. When we receive a request from you in writing, we must normally give you access to everything we have recorded about you. However, we will not let you see any parts of your record which contain:

- Confidential information about other people
- Information a professional thinks will cause serious harm to your or someone else's physical or mental wellbeing
- If we think that the prevention or detection of crime may be adversely affected by disclosing information to you

This applies to paper and electronic records. If you ask us, we will also let others see your record (except if one of the points above applies). If you cannot ask for your records in writing, we will make sure there are other ways you can apply. If you have any queries regarding access to your information please contact admin@omniafoundation.co.uk or call 01268 385997.

Changing information you believe to be inaccurate

You should let us know if you disagree with something written on your file. We may not always be able to change or remove the information; however, we will correct factual inaccuracies and may include your comments in the records. Please use the contact details above to report inaccurate information.

Asking for your information to be deleted (right to be forgotten)

In some circumstances you can request the erasure of the personal information used by us, for example:

- Where the personal information is no longer needed for the purpose for which it was collected
- Where you have withdrawn your consent to the use of your information and there is no other legal basis for the processing
- Where there is no legal basis for the use of your information
- Where erasure is a legal obligation

Where personal information has been shared with others, we shall make every reasonable effort to ensure those using your personal information comply with your request for erasure.

Please note that the right to erasure does not extend to using your personal information where:

- Is required by law
- It is used for exercising the right of freedom of expression
- It is in the public interest in the area of public health
- It is for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes where it would seriously affect the achievement of the objectives of the processing
- It is necessary for the establishment, defence or exercise of legal claims.

Restricting what your information is used for

You have the right to ask us to restrict what we use your personal information for where one of the following applies:

- You have identified inaccurate information, and have notified us of this
- Where using your information is unlawful, and you wish us to restrict rather than erase the information
- Where you have objected to us using the information, and the legal reason for us using your information has not yet been provided to you

When information is restricted, it cannot be used other than to securely store the information, and with your consent, to handle legal claims, protect others, or where it is for important public interests of the UK. Where restriction of use has been granted, we will inform you before the use of your personal information is resumed.

You have the right to request that we stop using your personal information in some circumstances, for example where we are relying on your consent. However, we are required by law to use personal information to deliver education services so for those purposes we could not grant your request.

Computer based decisions about you and if you are ‘profiled’

You have the right to object about decisions being made about you by automated means (by a computer and not a human being), unless it is required for any contract you have entered into, required by law, or you have consented to it. You also have the right to object if you are being ‘profiled’. Profiling is where decisions are made about you based on certain things in your personal information.

If you have concerns regarding automated decision making, or profiling, please contact the foundation who will advise you about how your information is being used.

Who will we share your personal information with?

As explained in our service specific notices we use a range of companies and partners to either store personal information or to manage it for us. Where we have these arrangements there is always a contract, memorandum of understanding or information sharing protocol in place to ensure that the school complies with information protection law.

We complete privacy impact assessments before we share personal information to ensure their compliance with the law. Sometimes we have a legal duty to provide information about people to other establishments, e.g. Child Protection concerns or statutory returns to the Department for Education, for example the school census.

We may also share your personal information when we feel there is a good reason that is more important than protecting your confidentiality. This does not happen often, but we may share your information:

- To find and stop crime or fraud; or
- if there are serious risks to the public, our staff or to other professionals; or
- to protect a child.

The law does not allow us to share your information without your permission, unless there is proof that someone is at risk or it is required by law. This risk must be serious before we can go against your right to confidentiality. When we are worried about physical safety or we feel that we need to take action to protect someone from being harmed in other ways, we will discuss this with you and, if possible, get your permission to tell others about your situation. We may still share your information if we believe the risk to others is serious enough to do so.

There may also be rare occasions when the risk to others is so great that we need to share information straight away. If this is the case, we will make sure that we record what information we share and our reasons for doing so. We will let you know what we have done and why as soon as or if we think it is safe to do so.

We are required by law to share certain information with the Department for Education
<https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>

We are also required to share some information with Essex County Council
<https://www.essex.gov.uk/topic/privacy-and-data-protection>

If you live or attend school in Southend Borough Council area this is the link
<https://www.southend.gov.uk/privacynotice>

If you live or attend school in the Thurrock Council area this is the link
<https://www.thurrock.gov.uk/privacy>

If you live or attend school in the Suffolk Council areas this is the link
<https://www.suffolk.gov.uk/about/privacy-notice/>

How do we protect your information?

We will do what we can to make sure we hold personal records (on paper and electronically) in a secure way, and we will only make them available to those who have a right to see them. Our security measures include:

- Encryption allows information to be hidden so that it cannot be read without special knowledge (such as a password). This is done with a secret code or cypher. The hidden information is said to be encrypted.
 - Controlling access to systems, networks and buildings allows us to stop people who are not allowed to view your personal information from getting access to it.
 - Training for our staff allows us to make them aware of how to handle information and how and when to report when something goes wrong.
 - Ways for us to access your information should something go wrong and our systems not work, including how we manage your information in event of an emergency or disaster. Regular testing of our technology and processes including keeping up to date on the latest security updates.
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If your information leaves the country

Sometimes, for example where we receive a request to transfer student records to a new educational setting, it is necessary to send that information outside of the UK. In such circumstances additional protection will be applied to that information during its transfer, and where the receiving country does not have an adequacy decision, advice will be sought from the Information Commissioners Office prior to the information being sent.

How long do we keep your personal information?

Our retention schedule lists how long your information may be kept for different purposes. See our Data Management and Retention Policy.

Where can I get advice?

You can contact the Data Protection Officer at IGS@essex.gov.uk or by calling 0333 032 2970.

For independent advice about information protection, privacy and information sharing issues, you can contact the Information Commissioner's Office (ICO) at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number

Alternatively, visit ico.org.uk or email casework@ico.org.uk.

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Below are links to their cookie policies:

- Google and YouTube <https://policies.google.com/technologies/cookies?hl=en-US>
- Facebook <https://en-gb.facebook.com/policies/cookies/>
- Twitter <https://help.twitter.com/en/rules-and-policies/twitter-cookies>

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There is more information about how to delete or stop using cookies on AboutCookies.org. If you wish, you can also opt out of being tracked by Google Analytics.

Further guidance on the use of personal information can be found at ico.org.uk

Monitoring & Review

This policy will be monitored periodically and reviewed annually by the Executive Director with the Data Protection Officer.
