

PRIVACY NOTICE FOR COTSWOLD SPA HOSPITAL SCHOOL

(for Parents, Guardians and other Carers)

BACKGROUND

At Elysium Children and Education, we take our data privacy responsibilities very seriously and are committed to protecting the privacy and security of your personal information. This document therefore relates specifically to students at Brighton & Hove Clinic School.

Under data protection law we must tell you what information we process about you and how we process it. This privacy notice describes how we will collect and use personal information about you while, and after, a child or adolescent you are responsible for or care for (“Young Person”) receives, care at any of our schools. This is done in line with data protection law (the General Data Protection Regulation).

If you would like information on how we treat personal information about a Young Person, please refer to the Privacy Notice for Children and Adolescents here:

<https://www.gov.uk/government/publications/data-protection-and-privacy-privacy-notices>

ABOUT US

The company or person who is responsible for deciding how we hold and use personal information about you is called the “data controller”. In our case, this will be the company that operates the School where a Young Person is receiving tuition, care and/or treatment.

This notice is for Cotswold Spa Hospital School and the contact is Catherine Woodsmith, Head of Education, Cotswold Spa, Station Road, Broadway, Worcestershire, WR12 7DE. Our Head Office is at 2 Imperial Place, Maxwell Road, Borehamwood, WD6 1JN.

DEFINITIONS AND PRINCIPLES

What do we mean by personal information (or “personal data”)?

When we talk about personal information we mean information from which you can be identified. It does not include information where your identity has been removed (anonymous data).

Data protection principles

Data protection law establishes data protection principles that we must adhere to. These require that personal information we hold about you is:

- used lawfully, fairly and in a transparent way;
- collected for valid reasons that we’ve explained to you and not used in any way that is incompatible with what we’ve explained;
- relevant to the purposes we have told you about and limited only to those purposes;
- accurate and kept up to date;
- kept only as long as necessary for the purposes; and kept securely.

TYPES OF PERSONAL INFORMATION

The kind of information we hold about you

We may collect, store, and use the following categories of personal information about you (including “special categories” of more sensitive information). This includes:

- Personal contact details (e.g. your name, title, address, telephone number and email address)
- Information about your health where this is connected with or relevant to the care and any treatment of a Young Person (e.g. any medical conditions, diagnosis, medication, disabilities or special needs)
- Date of birth
- Gender
- Nearest relative, next of kin, family, social workers and emergency contact information
- Information about your race or ethnicity, language, nationality, country of birth, religious beliefs and sexuality
- Information about criminal convictions and offences
- CCTV footage and other information obtained through electronic means
- Information about your use of our information and communications systems
- Photographs, videos and blogs
- Individual Care and Education Plans
- Restrictive Physical interventions

TREATMENT OF YOUR INFORMATION

Security of your personal data

We will ensure that appropriate precautions are taken against unlawful or unauthorised use of your personal data, and against the accidental loss of, or damage to, personal data.

Your personal information is typically kept as a paper record at the school. When a Young Person is attending the School information will also be stored electronically on a secure computer system. It cannot be accessed by anyone other than us or by those involved in their education, care or treatment.

How is your personal information collected?

We may typically collect personal information about you from a number of sources. This information (including sensitive personal information, such as medical information) may be supplied by:

- yourself, a Young Person, family or other carers

- those involved in a Young Person's care and treatment, such as the NHS, local authorities, doctors and other clinicians and health professionals, social services or those funding a Young Person's care and treatment
- those involved in a Young Person's care, such as the Department for Education ("DfE"), local authorities, a Young Person's former residency or those funding their tuition Personal information may also be generated while a Young Person is in our care.

How we will use your information (and our legal basis for doing so)

We will only use your personal information when the law allows us to. Most commonly, we will use your personal data

- in relation to a contract we have entered into with you
- to comply with a legal obligation
- where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests
- in other limited cases with your consent

Where we are using your sensitive personal information, such as healthcare information, further safeguards apply, and we can only use this information:

- in limited circumstances, with your explicit consent
- where it is necessary for healthcare purposes
- where it is needed in relation to legal claims
- where we need to protect your interests (or someone else's interests, such as a Young Person)
- where it is needed in the public interest

Why we collect and use your personal information

We will typically use your personal information:

- to support a Young Person and to monitor their progress within the school setting
- to liaise with others involved in a Young Person's tuition, treatment and care, such as GPs, consultants, advocates, care workers, the NHS, local authorities and the DfE.
- to comply with a legal obligation
- to assess the quality of our services and evaluate and improve our policies on children, adolescent and the care we provide

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

Refusal to provide personal information

The information we process is typically provided by you or those involved in a Young Person's care and/or treatment. So that we can effectively provide a Young Person with the appropriate care and treatment, we ask that you provide as much information to us as you can. You are of course free not to disclose information to us and you should only provide information you feel comfortable to. Please bear in mind, however, that if you do not, we may not be able to provide a Young Person with the full range of care and treatment they require.

For this reason, it is also important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is connected with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Do we need your consent?

In most situations we will not need your consent to use your personal information. Where, in the rare circumstances, your consent is necessary, we will speak to you about it and provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

In some cases, we may need to seek your consent in regards to personal information concerning a Young Person if that Young Person doesn't have the capacity to consent for themselves. As above, where this is the case we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

Automated decision-making

You will not be subject to decisions based solely on automated decision-making where they would have a significant impact on you, unless we have a lawful basis for doing so and we have notified you.

DATA SHARING

Sometimes we may need to share your personal information with other organisations involved in the Young Person's care, or where it relates to the funding of their placement, a legal claim or criminal proceedings.

The third parties we may share information with include: medical practitioners, GPs, consultants, advocates, care workers, the NHS, the DfE, local authorities, any schools the Young Person attends after leaving our school, the police and lawyers.

Sometimes, we have to disclose information because we are legally required to do so. This may be because of a court order or because a regulatory body has statutory powers to access that information. Before any disclosure will be made, we will satisfy ourselves that any disclosure requested is required by law or can be justified in the public interest. Where possible, and to the extent we are able to do so, we will tell you about the disclosure.

Third-party service providers

Some of your information is held on a secure computer system. Sometimes, this is on servers operated by third parties. We also sometimes subcontract our services to other providers. All our third-party service providers are required to take appropriate security precautions to protect your personal information. We do not allow our third-party service providers to use your personal information for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

We may transfer your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

Sharing your personal information with companies in our group or other third parties

If the school or service was ever sold to a third party, your information may transfer with that unit to that new owner.

The reason for this is to minimise the disruption to Young People caused by the sale of the unit or service transfer and to ensure both we and a new owner are able to comply with our legal obligations regarding the preservation of care and medical records and to ensure continuity of care.

Some of our schools are owned by other companies within our group of companies. In such cases, data may be shared with that other company and again, but that company would have to treat that information confidentially and securely. No personal information would ever be sold to a third party.

STORAGE & RETENTION

Where we store your personal data

The information we process about you is held securely at the unit where the Young Person's education is provided and on our secure computer systems.

Retention of your records

We will not keep your personal information for longer than is necessary for the purpose. This is to ensure that information is properly managed and is available whenever and wherever there is a justified need for that information. Data is retained for specified periods (depending on the record) and then securely destroyed under our document retention policy.

In some circumstances we may anonymise your personal data so that it can no longer be used to identify you, in which case we may use such information without further notice to you.

YOUR RIGHTS

You have certain rights under law in relation to your personal data. You may also exercise certain rights on behalf of a Young Person where that Young Person doesn't have the capacity to do so. These include the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, or exercise any of the rights above, please contact the Data Protection Officer in writing at 2 Imperial Place, Maxwell Road, Borehamwood, WD6 1JN or email enquiries to IG.Info@elysiumhealthcare.co.uk

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of the other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your (or a Young Person's) personal information for a specific purpose, you have the right to withdraw that consent for that specific processing at any time. To withdraw consent, please contact the Data Protection Officer at 2 Imperial Place, Maxwell Road, Borehamwood, WD6 1JN or email IG.Info@elysiumhealthcare.co.uk. Once we have received notification of the withdrawal of consent, we will no longer process that information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

DATA PROTECTION OFFICER & CONTACTING US

We have appointed a data protection officer to oversee compliance with this privacy notice. If you would like to know more about anything we have said here, please write to our Data Protection Officer at 2 Imperial Place, Maxwell Road, Borehamwood, WD6 1JN or email IG.Info@elysiumhealthcare.co.uk

COMPLAINTS

You may contact our Data Protection Officer using the details above if you are not happy with the way we have handled your personal information.

You also have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.