

The Dell Out of School Club –

GDPR Privacy Notice for Trustees and Business Contacts known to our Business – May 2018

1. INTRODUCTION

The Dell is a registered charity and provides OFSTED registered childcare for children aged 3-12 years of age. We collect information about you to carry out our core business and ancillary activities. This privacy notice provides you with details of how The Committee of The Dell (“we” “our” “us”) as Trustees of The Dell Out of School Club (“the Company”) collect and Process your Personal Data, whether you’re a trustee, host school or any other third party.

“Personal Data” is any information identifying a living, identifiable individual, excluding any anonymous data but including any sensitive Personal Data. Such data can be factual such as a name, email address, date of birth or national insurance number; or an opinion or reference about a person’s actions or behaviour.

“Processing” or “Process” means any activity involving the use of Personal Data whether that is obtaining, holding, recording or carrying out any operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. It includes the transmission or transferring Personal Data to third parties.

For the purposes of safeguarding and processing criminal convictions and offence data responsibly this data is treated in the same manner as special categories of personal data, where we are legally required to comply with specific data processing requirements.

The Business Manager together with the Managers of each setting (Morgans and Abel Smith) and Finance and Bookings Officers act on behalf of The Committee of The Dell as the data controllers and are responsible for your Personal Data, including determining when, why and how to Process Personal Data. For General Data Protection Regulations our email address is thedellhertford@hotmail.com . Our postal address is The Dell Out of School Club c/o Morgans School Morgans Rd Hertford Herts SG13 8DR.

If you are not happy with any aspect of how we collect and use your data, you have the right to complain to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We should be grateful if you would contact us first if you do have a complaint so that we can try to resolve it for you. It is very important that the information we hold about you is accurate and up to date. Please let us know if at any time your personal information changes by emailing us at thedellhertford@hotmail.com

2. BACKGROUND

This policy has been written in accordance with the principles and safeguards set out in the General Data Protection Regulation (EU) 2016/679 (“GDPR”) We adhere to the principles relating to the Processing of Personal Data set out in GDPR which require Personal Data to be:

(A) Processed lawfully, fairly and in a transparent manner (Lawfulness, Fairness and Transparency).

(b) Collected only for specified, explicit and legitimate purposes (Purpose Limitation).

(c) Adequate, relevant and limited to what is necessary in relation to the purposes for which it is Processed (Data Minimisation). (d) Accurate and where necessary kept up to date (Accuracy).

(e) Not kept in a form which permits identification of Data Subjects for longer than is necessary for the purposes for which the data is Processed (Storage Limitation).

(f) Processed in a manner that ensures its security using appropriate technical and organisational measures to protect against unauthorised or unlawful Processing and against accidental loss, destruction or damage (Security, Integrity and Confidentiality).

(g) Not transferred to another country without appropriate safeguards being in place (Transfer Limitation).

(H) made available to individuals such as to allow them to exercise certain rights in relation to their Personal Data (Data Subjects rights and requests).

3. HOW WE USE YOUR PERSONAL DATA

We will only use your Personal Data when legally permitted. The most common uses of your Personal Data are:

- Where we need to perform our business activities and ancillary tasks.
- 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.
- Where we need to comply with a legal or regulatory obligation.

Generally, we do not rely on consent as a legal ground for processing your Personal Data, other than in relation to sending marketing communications to you via email or text message.

You have the right to withdraw consent to marketing at any time by emailing us at thedellhertford@hotmail.com

Purposes for Processing your Personal Data

Set out below (Appendix A) is a description of the ways we intend to use your Personal Data and the legal grounds on which we will Process such data. We have also explained what our legitimate interests are where relevant.

We may Process your Personal Data for more than one lawful ground, depending on the specific purpose for which we are using your data. Please email us if you need details about the specific legal ground we are relying on to Process your Personal Data where more than one ground has been set out in the table below.

| Data | What is the data used for | Lawful reason for keeping data | Where did it come from | Who is it shared with | Where is it stored | Access | Compulsory consent not required X If optional ✓ | How long do we keep it |
|--|---|--------------------------------|----------------------------------|---|---|--|---|--|
| Committee Members information including;- Names * DOB Contact details email phone addresses * DBS numbers (*Information held in critical incident file). NB some personal details are recoded on minutes which are retained | Ofsted compliance Charity commission Bank If signatories | Legitimate interest | Data subjects themselves | Charities commission Bank OFSTED Sharing Committee details with Snr Staff and each other & other third parties by agreement i.e. BT Critical incident file | Locked cupboard at Rapier and with Business Manager and in the critical incident files locked on site | Sara Carolyn Staff in case of emergency /critical incident | No | 6 years for charity accounts and minutes as dictated by the Charities Commission |
| Host schools including emails and phone details. Related correspondence /business between school and The Dell | To secure our premises /rent To communicate about our clubs. Share information about children | Legitimate interest | Data subjects or from the school | | In locked filing cabinet Emails retained on password protected Pc or secure phones | Senior staff | No | Data to be reviewed every 2 years |

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|---|---------------------------|--|---|---|--|------------------|---|------------------------------------|
| Third party contact details i.e. Email addresses – phone details from our associates/ contractors/other county/ OSC professionals or other settings and training providers or | To develop our business | Legitimate interest. Consent can be withheld | Generated by all senior staff in connection with the business | Senior staff who need to access for support | Secure access to PC and other database phone numbers stored on Dell phones and emails on secure PC | All senior staff | X | Data to be reviewed every 2 years. |
| | | | | | | | | |

4. DISCLOSURES OF YOUR PERSONAL DATA

We may have to share your Personal Data with the parties set out below for the purposes set out in the table in paragraph 2 above:

- OFSTED or any government department involved with the safe operation of our business e.g. H&S executive, Food Standards Agency EHO. Etc.
- Service providers who provide IT and system administration services.
- Professional advisers including OFSTED, HCC and those who provide consultancy, and other business related service to The Dell.
- Third parties to whom we may sell, transfer or merge parts of our business or assets.

We require all third parties to whom we transfer your data to respect the security of your Personal Data and to treat it in accordance with the law. We only allow such third parties to Process your Personal Data for specified purposes and in accordance with our instructions.

5. DATA SECURITY

We have put in place appropriate security measures to prevent your Personal Data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your Personal Data to those employees, agents, contractors and other third parties who have a business need to know such data. They will only Process your Personal Data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected Personal Data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

6. DATA RETENTION

We will only retain your Personal Data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for Personal Data, we consider the amount, nature, and sensitivity of the Personal Data, the potential risk of harm from unauthorised use or disclosure of your Personal Data, the purposes for which we Process your Personal Data and whether we can achieve those purposes through other means, and the applicable legal requirements.

By law we must keep basic information about our clients (including Contact, Identity, Financial and Transaction Data) for six years after they cease being clients for tax purposes.

In some circumstances you can ask us to delete your data and it is our responsibility to make sure that any Personal Data we retain is accurate. So, if you would like us to erase your data (to the extent that we are able) or there are any changes to your data which means what we currently hold is inaccurate, please do let us know.

Any data that we dispose of is done in a secure fashion by shredding or professional data shred.

7. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your Personal Data. These include the right to:

The right to be informed about the personal data being processed

The right to access to your Personal Data.

The right to object to the processing of your personal data

The right to restrict the processing of your personal data

The right to correct your personal data

The right to erasure of your Personal Data

The right to portability of your personal data,

In exercising your individual rights you should understand that in some situations we may be unable to fully meet your request. For example if you make a request for us to delete all your personal data, we may be required to retain some data for taxation, and for regulatory and other statutory purposes.

You can see more about these rights at: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

If you wish to exercise any of the rights set out above, please email us at thedellhertford@hotmail.com.

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

We may need to request specific information from you to help us confirm your identity and ensure your right to access your Personal Data (or to exercise any of your other rights). This is a security measure to ensure that Personal Data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made several requests. In this case, we will notify you and keep you updated..