Trail Blazers Education

Privacy Notice and General Data Protection Policy, including Candidate's Record Keeping Policy

Trail Blazers Education collects, holds and processes certain personal information about its course participants, volunteers, employees and donors to ensure that it can meet its commitments to those that it supports, protect those whom it helps, support its legitimate activities, and operate its management and administrative functions.

Under data protection law, individuals have a right to be informed about how Trail Blazers Education uses any personal data about them. Trail Blazers Education complies with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals when we are processing their personal data.

This Code of Practice has been issued to give guidance to employees, volunteers and any other person delivering services to customers/participants/beneficiaries of Trail Blazers Education, so that any data which Trail Blazers Education holds is stored safely, processed correctly and not unlawfully disclosed to any other person, and that such processing of data complies with Data Protection Law, namely the UK GDPR (2021) and its implementation of the UK GDPR Regulations 2021. Trail Blazers Education Directors, management and staff should also familiarise themselves with Trail Blazers Education Data Protection Policy.

Trail Blazers Education is the 'data controller' for the purposes of data protection law. Trail Blazers Education data protection officer is Ben Lewis (see contacts below).

Application of this Code of Practice

This Code of Practice applies to "Personal Data", which is defined as: information (including opinions and intentions) which relates to an identified or identifiable natural person.

Identity

An "identifiable natural person", is an individual who can be identified, directly or indirectly, by information such as: a name, an identification number, location data, an online identifier, or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. If, by looking solely at the information you are processing you can distinguish an individual from other individuals, that individual will be identified (or identifiable). Identifiers are wide ranging, for example, a name or number, an Internet Protocol (IP) address or an image.

Sensitive Personal Data (Special Category Data)

Trail Blazers Education recognises that sensitive personal data (including “Special Category Data” as defined in Data Protection legislation) is likely to be of a very personal nature and that it may only be processed with the *express consent of the individual concerned.

In accordance with legislation and Trail Blazers Education Data Protection Policy, Trail Blazers Education treats the following information about a person as sensitive personal data:

- Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade Union membership
- Physical or mental health or condition
- Genetic data
- Biometric data
- Sexual life and sexual orientation
- Alleged or actual commission of a criminal offense

Examples of the type of sensitive personal data that Trail Blazers Education may hold include details of an individual’s health, medication, physical needs and criminal convictions. Trail Blazers Education strives to collect, process and hold only data that is necessary and appropriate for the charity to provide its services and comply with any contract or legislation. Employees and volunteers working with participants should only request and process sensitive personal data if requested to do so in the forms provided for the course, or specifically by their line manager.

Data Protection Principles

Trail Blazers Education has adopted the following principles to govern its collection, use, retention, transfer, disclosure and destruction of personal data.

Processes have been put in place at Trail Blazers Education (for example the use of specific forms to capture participant information) to ensure compliance with appropriate legislation and these principles. Employees and volunteers should ensure that they follow these processes and if in doubt they ask the for clarification.

Lawfulness, Fairness and Transparency

Personal data shall only be processed lawfully, fairly and in a transparent manner. This means, KE must tell participants what processing will occur (transparency), the processing must match the description given to the participant (fairness), and it must be for one of the purposes specified in the applicable Data Protection legislation (lawfulness).

Purpose Limitation

Personal data shall only be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.

This means Trail Blazers Education must specify exactly what the personal data collected will be used for and limit the processing of that personal data to only what is necessary to meet the specified purpose.

Minimisation

Personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes. This means Trail Blazers Education must not collect, process or store any personal data beyond what is strictly required.

Accuracy

Personal data shall be accurate and kept up to date. (More on keeping personal data up to date, below.)

Online Storage

Trail Blazers Education holds computerised files and folders in Basecamp, an online data storage system.

Limitation

Personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed.

Integrity & Confidentiality

Personal data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing, and against accidental loss, destruction or damage.

Accountability

Each person responsible for personal data at Trail Blazers Education should be able to demonstrate compliance. This means they must demonstrate that the six data protection principles (outlined above) are met for all personal data for which they are responsible.

Handling Personal data

Personal data should only be collected in accordance with questions on the appropriate online and hard copy forms approved for the processing of information.

Information collected from course participants manually at indoor or outdoor locations should be kept out of sight of participants at all times and stored at the end of the same working day in the security cases provided – ideally information should be given to the administrator to file on Basecamp or locked in the lock box in the locked shed until such time.

Trail Blazers Education staff and others working with participants should pass all completed participant paperwork to the administrator at the very earliest opportunity, who will ensure it is stored electronically and hard copies destroyed

At NO time leave participant paperwork unsupervised during the working day or left unsecured during out of work hours

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Personal data being displayed on computer screens should be closed when unattended.

Photography and film: Photographs and other forms of picture capture, eg video, are permitted to be taken on personal mobile phones but only where the phone has an access security code. At the end of the same working day ALL participant photographs and videos MUST be transferred to the secure Basecamp folder. All participant photographs on mobile phones MUST then be deleted at the end of each working day and removed from Google access accounts.

Only photographs or videos that contain individuals with known written consent for internal and external media use should be uploaded to Trail Blazers Education Basecamp.

Emails: Under no circumstances should participant information be transferred via email unless encrypted. This will require the recipient(s) to be able to facilitate receipt of an encrypted email.

Media and Social Media: Under NO circumstances should photographs or videos be shared with the press, on our website, on social media, or in any other publication, unless those involved have given written consent. Under **NO** circumstances should any other personal data be shared through social media.

Sharing personal data with third parties: in some circumstances, we are required to share certain data with referring organisations or authorities. If identifying personal data is to be shared, you should check with the office administrator whether sharing is permitted in the circumstances and ensure any method of transfer is secure. (More on sharing personal data, below.)

Mobile phones, tablets, laptops and other portable electronic data storage units:

Any portable device, whether owned by an individual or Trail Blazers Education, used for receiving, processing or sending any information containing personal data of employees, volunteers, participants, service users, family, friends or associates of those individuals and any Trail Blazers Education supporters, donors, suppliers, contractors or consultants, should be secured and kept out of public view if left unattended (e.g. kept in a locked box in the locked shed). Access to the device should also be password protected.

Preferably, all personal data should be stored on Trail Blazers Education Basecamp and not be stored directly on portable equipment hard drives or USB devices unless it is entirely necessary, in which case it should be encrypted or password protected.

Protecting personal data about course participants

In the course of their work, staff, volunteers and associates may have access to personal information. This document outlines company policy with regard to privacy and data protection.

Personal data that Trail Blazers Education may collect, use, store and share (when appropriate) about children includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Records
- Characteristics or special educational needs
- Exclusion information
- Details of medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of support received, including care packages, plans and support providers
- Photographs

Trail Blazers Education may also hold data about children that has been supplied from other organisations such as schools, local authorities and the Department for Education. P

Trail Blazers Education uses this data to:

- Support children / adults to learn
- Monitor and report on progress
- Provide appropriate care

Trail Blazers Education Policy Documents:

- Protect the welfare of children

- Assess the quality of our services
- Administer admissions waiting lists
- Comply with the law regarding data sharing

Legal basis

Trail Blazers Education only collects personal data when the law allows it and permission has been granted by a child's parent or guardian. Most commonly, data is collected because the company needs it to:

- Comply with a legal obligation
- Perform an official task in the public interest

Trail Blazers Education may also hold personal data because:

- The company has obtained consent to use it in a certain way
- The company needs to protect the individual's vital interests (or someone else's interests)

Where Trail Blazers Education has obtained consent to hold personal data, this consent can be withdrawn at any time.

Some of the reasons listed above for collecting and using personal data overlap, and there may be several grounds that justify use of personal data.

Collecting personal data

While the majority of information collected is mandatory, there is some information that can be provided voluntarily.
When Trail Blazers Education seeks to collect information from a parent or guardian or a child, it is made clear whether providing it is mandatory or optional. If it is mandatory, Trail Blazers Education will explain the possible consequences of not complying.

Storing data

Trail Blazers Education keeps personal information on pupils while they are in one of the company's programmes. Trail Blazers Education may also hold personal data after the end of a programme if necessary to comply with legal obligations.

All data is transferred to Basecamp (an online storage system) as soon as possible after collection. The originals are not stored; they are shredded or burnt.

Keeping data up-to-date

Data is regularly reviewed, and where necessary, privacy information updated. Any new uses of an individual's personal data will be brought to their attention before the processing is started.

Specific steps:

- The Trail Blazers Education administrator issues an email at the start of each academic term or year (depending on the course) to referring organisations to check that the young persons details are correct. This email highlights the importance of keeping data up to date: in the case of an emergency, for example, it is essential that contact information is current and not out of date.
- Files of current pupils are checked for accuracy and are updated as necessary.
- Once advised, corrections to personal data are carried out as soon as practical.

Disposal of personal data

- Any personal data that is out of date or no longer needed is destroyed, either by shredding or by deleting computer files securely so that they cannot be retrieved.
- Trail Blazers Education holds personal data only for as long as necessary to meet legal requirements.

Expectations of staff

Everyone at Trail Blazers Education has a responsibility to ensure data is processed securely. Staff, volunteers, associates and pupils that handle personal data are responsible for preventing it being seen by anyone who hasn't been given permission to view or process it.

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Trail Blazers Education has a designated data protection officer (DPO) who implements and upholds data protection systems and policies.

Action in the event of a data protection breach

- These are the steps Trail Blazers Education will follow if there is a breach of privacy: Trail Blazers Education will notify the Information Commissioners Office (ICO) of a

breach within 72 hours of becoming aware of it, even if not all the details are known at that point.

- Trail Blazers Education will inform affected individuals about a breach without undue delay.
- Where possible, Trail Blazers Education will advise affected individuals how to protect themselves from the effect of a data protection breach.
- Trail Blazers Education documents all breaches, even if they don't all need to be reported

Data sharing

Trail Blazers Education does not share personal information until consent from the individual is gained. This includes sharing data between people or online, such as films and photographs on Trail Blazers Education Instagram/Facebook page and films and photographs circulated for the purposes of publicity.

Letters sent from Trail Blazers Education include a data protection statement where relevant.

On occasion Trail Blazers Education may need to share personal data with local authorities, other schools, different departments or local authorities.

Trail Blazers Education policy on data sharing demonstrates that we have considered all the legal implications of data sharing, that we have the ability to share specific data when required, that we understand the purpose of data sharing, that we know which parties may require data and for what purposes that data could be used.

We do not share information about children 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 children with:

- Our local authority – to meet legal obligations to share certain information, such as safeguarding concerns, which would be reported to Social Services
- The Department for Education – to meet legal obligations and as it is necessary for the performance of a task carried out in the public interest and in the exercise of authority
- The children's family and representatives - to meet legal obligations to share certain information with them, such as safeguarding concerns
- Other schools – to meet legal obligations to share certain information, such as safe-guarding concerns and absenteeism

- Educators and examining bodies - to meet legal obligations and as it is necessary for the performance of a task carried out in the public interest and in the exercise of authority
- Our regulators – to meet legal obligations and as it is necessary for the performance of a task carried out in the public interest and in the exercise of authority
- Our auditors – for compliance with a legal obligation
- External survey and research organisations – with the consent of parents or carers.
- Health authorities – necessary for compliance with a legal obligation, such as safeguarding. In other cases, the health professional seeks consent through Trail Blazers Education
- Professional advisers and consultants – necessary for the performance of a contract
- Charities and voluntary organisations - necessary for the performance of a task carried out in the public interest and in the exercise of authority
- Police forces, courts, tribunals – necessary for compliance with a legal obligation
- Professional bodies – necessary for the performance of a contract
  Rights
- Individuals have a right to make a 'subject access request' to find out what personal information Trail Blazers Education holds about them.

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Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data Trail Blazers Education holds about them.

If someone makes a subject access request for information held by Trail Blazers Education the company will:

- Provide a description of it
- Explain the reason for holding and processing it, and for how long it will keep it for
- Explain where the information came from if not from the person making the request of their child
- Explain who it has been/will be shared with
- Outline any automated decision-making that is being applied to the data, and any consequences of this
- Supply a copy of the information in an intelligible form
  Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

- Anyone wishing to make a request, please contact Trail Blazers Education data protection officer.

Other rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing materials
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations.
- To exercise any of these rights, please contact Trail Blazers Education data protection officer.

Complaints

Any complaints about collection and use of personal information will be handled promptly. If anyone thinks that Trail Blazers Education collection or use of personal information is unfair, misleading or inappropriate, or has any other concerns about the way their data is being handled, please contact Trail Blazers Education data protection officer (DPO).

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

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