



The information below explains when and why we collect personal information, how we use this information, when we may disclose it to others and what protections are in place to keep it secure. By using our services, you are agreeing with the information set out below.

This Privacy Notice is in Accordance with the European Union General Data Protection Regulation (“GDPR”) 2018. This Privacy Notice (“Notice”) applies to individuals that reside in the European Union and the United Kingdom and describes how SW Education & Care collects and uses your Personal Data in accordance with the GDPR.

We are registered with Companies House, our company number is: 11991085

Our registered office address is: Tir Na N’Og, Fitzhead, Taunton. TA4 3LA

We are registered with the Office of the Information Commissioner; our registration number is: ZA53773.

You can contact us through our website or by email: [info@swedandcare.org](mailto:info@swedandcare.org), or to our registered office.

This Notice tells you what Personal Data we collect, why we need it, how we use it.

## Key Terms

“SW Education & Care” “SWEC” “we” “us” and “our” mean SW Education & Care Ltd.

“SW Education & Care Personnel” means our prospective, present and past partners, employees, consultants and agency staff, and people connected to such persons.

“Personal Data” means information about individuals (including you), and from which such individuals could be identified.

“You” means individuals whose Personal Data we process including, but not limited to, children and young people within our care or education provisions, local authorities, solicitors/advisors, suppliers, supplier personnel [and individuals who visit this website]. “You” does not include SW Education & Care Personnel.

## Data Controller

SW Education & Care is the Data Controller in relation to your Personal Data and is committed to protecting the privacy rights of individuals, including your rights.

## Data Protection Manager

Andy Simms is our Data Protection Officer. He has oversight of SWEC's compliance obligations under the GDPR and any other applicable data protection legislation and regulation.

For questions concerning this Policy or pertaining to your Personal Data, please contact the Data protection officer email: [andy@swedandcare.org](mailto:andy@swedandcare.org) Tel: 01823 765078

### How do we obtain your Personal Data?

We may obtain your Personal Data from you directly [including through your use of this website], and we will also obtain your Personal Data from a third-party source, for example, local authorities, agencies or advisors, other parties which have parental responsibility or represent you.

### What about Personal Data which you or others provide to SW Education & Care?

We collect and use different types of Personal Data about you, which will vary in type and detail depending on the circumstances and purpose of processing. Due to the nature of our organisation we do collect and store sensitive information, as defined by the ICO (Details of types of sensitive information can be found here <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/key-definitions/what-is-personal-data/>)

### What Personal Data do we collect from and about you?

Please consider the following illustrative and non-exhaustive examples:

- *Personal Data about you:* name, address, date of birth, marital status, nationality, race, gender, preferred language, medical and educational information, required accommodations, about your family life and social care chronologies;
- *Personal Data to contact your family; work or home:* name, address, telephone, and e-mail addresses;
- *Personal Data which may identify you:* photographs and video, passport;
- *Personal Data to monitor your use of our website:* IP address, traffic and location information, weblogs and other communication information.
- *Special Categories of Personal Data* about you: this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data).
- In relation to the young people we support we may obtain this information from forms you (or someone on your behalf) have filled in, from notes and reports about your background, health and any treatment and care you have received or need, or it may be recorded in details of contact we have had with you such as information about complaints or incidents, and referrals from commissioning bodies.
- In relation to job applications we obtain this information from application forms and CVs submitted as part of the job application process. We may also collect information about criminal convictions and offences as part of our job application and screening process.

## Why do we need to collect and use your Personal Data?

We need to collect and use your Personal Data for a number of reasons, the primary purpose being to provide appropriate support and services to children and young people in our care and/or education provisions and which may involve the use of your Personal Data in the following (non-exhaustive) ways:

- to contact you whether in your professional or personal capacity;
- to carry out investigations, risk assessments and due diligence;
- to review, draft and disclose correspondence and other documents, including court documents;
- for comparison/analytical purposes and to formulate legal opinions and provide advice
- to ensure the safeguarding and protection from harm of all in our care

We will only use your personal data when the law allows us to. Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Most commonly, we will use your personal data in the following circumstances:

- 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.

The information below provides an overview of data use and lawful basis of legitimate interest:

1. To deliver services to you and/or the young people in our care: Types of data: Identity, Contact details, Special categories of Personal data. Lawful basis: Performance of a contract with the relevant local authority with responsibility for a young person and adults, Necessity to comply with a legal obligation, Necessity for our legitimate interests.

2. To manage our relationship with you which will include: Types of data: Identity, Contact details, Marketing and Communications. Lawful basis: Performance of a contract with you, Necessity to comply with a legal obligation

3. For administration and protection of our business and this website: Types of data: Identity, Contact details, Technical. Lawful basis: For our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise). Necessity to comply with a legal obligation.



4 Use of data analytics to improve our services, website, marketing, customer relationships and experiences: Types of data: Technical and usage. Lawful basis: Necessity for legitimate interests.

We only use your personal data 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 compatible with the original purpose.

### Use of cookies

The SW Education & Care website uses cookies, these are an industry standard and collect small amounts of information from websites to allow your computer to be recognised on revisiting. You can switch off cookies in your browser to disable this function.

### Who receives your Personal Data?

We may disclose your Personal Data to third parties if, but only when, we have a legal basis to do. Such recipients include but are not limited to: Local authorities, education provisions, Police, solicitors/barristers; We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

### How do we protect your Personal Data?

We have security arrangements in place to guard against unauthorised access, improper use, alteration, destruction or accidental loss of your Personal Data. We take appropriate organisational and technical security measures and have rules and procedures in place to ensure that any Personal Data we hold is not accessed by anyone unauthorised to access it.

When we use third-party organisations to process your Personal Data on our behalf, they must also have appropriate security arrangements, must comply with our contractual requirements and instructions and must ensure compliance with the GDPR and any other relevant data protection legislation.

### Is your Personal Data transferred to “third countries” and, if so, what safeguards are in place?

We do not routinely transfer data outside of the EEA, however, should this be necessary we will ensure compliance with all aspects of data protection as defined within this notice.

### How long will your Personal Data be retained by us?



It is our policy to retain your Personal Data for the length of time required for the specific purposes for which it is processed and which are set out in this Notice. However, we may be obliged to keep your Personal Data for a longer period, for example, where required by our legal and regulatory obligations or in order to ensure we have effective back-up systems. In such cases, we will ensure that your Personal Data will continue to be treated in accordance with this Notice, restrict access to any archived Personal Data and ensure that all Personal Data is held securely and kept confidential.

### What are your rights?

The GDPR generally affords individuals a right to access their Personal Data, to object to the processing of their Personal Data, to rectify, to erase, to restrict and to port their Personal Data. Any questions or requests should be put in writing to the Privacy Officer.

### How to make a complaint:

If you are unhappy with the information provided in this Notice or have concerns about the way in which we process your Personal Data you may in the first instance contact the Data Protection Officer, and if you remain dissatisfied then you may apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF  
[www.ico.org.uk/concerns](http://www.ico.org.uk/concerns) Telephone: 0303 123 1113

### Review

This information is reviewed annually unless changes to legislation are adopted, in which case there will be an immediate change. All information is correct as of 25<sup>th</sup> July 2019.