



GDPR / DATA PROTECTION POLICY

General Data Protection Regulation (GDPR) is a law that sets out how organisations can use people's personal data.

It is an important law and it does apply to Alternative Provision data, which need to make sure they meet its requirements.

At Wiltshire Equine Assisted Learning everyone has a role in data protection.

The **Managing Director as the Data Protection Officer (DPO)** is responsible for making sure the provisions data protection activities meet its legal requirements. The Managing Director needs to ensure that everyone at Wiltshire Equine Assisted Learning knows how to handle personal and can follow the systems for privacy with ease and lead a culture of data privacy.

The **data protection officer (DPO)** also the Managing Director of Wiltshire Equine Assisted Learning is responsible for checking that the provision is handling data properly and advising on how to do so. The DPO has a strong grasp of both data protection law and how the provision uses personal data.

The DPO/Managing Director will attend GDPR training in the academic Year 2022/2023.

Everyone at Wiltshire Equine Assisted Learning is trained, understands and follows the policies and procedures for handling personal data and lead by example in how they handle the data in their care. Everyone will receive GDPR training, in order to understand and follow the procedures and so that they know when to ask the DPO or Managing Director for support.

The DPO will hold additional duties, regarding child protection, contracts with suppliers and data protection activities such as data protection impact assessments (DPIAs).

All staff will know how to respond to the following situations.

Reporting data breaches

Data breaches are any instance when personal data is accidentally or unlawfully disclosed, destroyed, lost or altered, or if there is unauthorised access to personal data. Where there

is a risk to the rights and freedoms of the data subjects whose data has been compromised, these breaches need to be reported to the Information Commissioner's Office (ICO) within 72 hours of being discovered. It's important that everyone knows to report any suspected breaches so they can be investigated.

All data breaches must be reported as soon as possible to the DPO/Managing Director. They can decide whether the breach needs to be reported to the ICO. The GDPR states that any breaches that could lead to physical, material or non-material damage to an individual should be reported.

At Wiltshire Equine Assisted Learning this includes breaches that could cause: discrimination, including bullying; identity theft or fraud; financial loss; reputational damage; and loss of confidentiality of personal data protected by professional secrecy.

Transferring data

Processor in the UK

Personal data can only be sent to a processor if there is a contract in place that makes sure the recipient will protect the personal data.

Processor outside the UK

If a processor is based outside the UK additional measures would be necessary to ensure data subjects' rights are protected.

The data subject

Data subjects can ask for access to their personal data whenever they like and Wiltshire Equine Assisted Learning will always provide it. This is normally done through a data subject access request (DSAR – see below).

The provisions policies regarding data breaches and transferring data will be contained and detailed in all contracts.

DSARs

Data subjects have a number of rights under the GDPR, including the right to access their personal data via a DSAR. A DSAR can also be used to exercise their other rights.

Possibly the most important part about DSARs is that the data subject can submit them in any way they like. They could ask in person, over a phone call, via email, by sending a letter or any other method they like. Because of this, everyone needs to know how to recognise a DSAR so that it can be acted on quickly.

Wiltshire Equine Assisted Learning will respond to all DSARs within a month (with extensions possible under some conditions), and a record of this request, as well as how and when it was fulfilled will be retained. Wiltshire Equine Assisted Learning will ensure that the DSO follows this procedure when receiving a DSAR.

Children's data

Children have the same rights as anyone else under the GDPR, and there are additional

requirements to protect their data which Wiltshire Equine Assisted Learning will follow at all times.

Children can consent to processing just like an adult as long as they are considered competent, otherwise consent must be given by their parent or guardian.

Wiltshire Equine Assisted Learning acknowledges that for most data processing in a provision, consent is not the lawful basis. Consent applies to processing such as adding a child's photograph to the school website or sending their details to the local press.

Wiltshire Equine Assisted Learning acknowledges that for 'information society services' that require consent, however, the child must be at least 13 to consent. Information society services are any service provided over the Internet, such as social media, e-commerce sites, and so on, and may need consent for some of their processing activities. If your school uses any services like this, you should ensure that consent is given by the appropriate person.

Apps

At Wiltshire Equine Assisted Learning any app that will be used to store or process personal data of pupils or staff needs to comply with the GDPR, and the provision will need to ensure that the terms and conditions recognise this. Depending on the app itself, Wiltshire Equine Assisted Learning may need to make sure there's a contract between the app developers and the provision. If in doubt all staff will check with the DPO.

Supervisory authorities

Under the UK GDPR, the supervisory authority (data protection regulator) is the ICO. Wiltshire Equine Assisted Learning will follow guidance from the ICO on all data protection.

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