

GDPR Data Protection Policy

Wiltshire Equine Assisted Learning

Review Date: 2 January 2025

Next Review Due: 2 January 2026

Reviewed by: Hannah Lindsay, Director



Wiltshire Equine Assisted Learning (WILTS-EAL)

Review Date: 1 September 2025

Next Review Due: 1 September 2026

Linked Policies: Safeguarding & Child Protection | Information Sharing | Whistleblowing | Staff Code of Conduct | Health & Safety

1. Purpose

This policy outlines how Wiltshire Equine Assisted Learning complies with the **UK GDPR** and **Data Protection Act 2018**, ensuring that all personal data relating to learners, families, staff, volunteers, and visitors is processed lawfully, fairly, and securely.

The policy reflects:

- **DfE Data Protection in Schools guidance (updated October 2025)**
- **KCSIE 2025 requirements for safe information handling and secure record keeping**
- **Ofsted expectations for alternative provision safeguarding culture**

- **DEFRA standards for animal-assisted learning settings**, where personal data may relate to risk assessments, behaviour plans, and welfare records.

2. Scope

This policy applies to:

- All staff
- Volunteers
- Freelance practitioners
- Contractors
- Directors
- Anyone handling personal data on behalf of WILTS-EAL

It covers all personal data processed in relation to equine-assisted learning, alternative provision placements, safeguarding, and operational activities.

3. Roles and Responsibilities

3.1 Data Protection Officer (DPO)

The **Managing Director** is the designated DPO and is responsible for:

- Ensuring WILTS-EAL meets all legal data protection requirements
- Overseeing data protection training
- Advising on lawful processing, retention, and sharing
- Conducting Data Protection Impact Assessments (DPIAs)
- Monitoring compliance with DfE and ICO guidance

- Overseeing data protection elements of safeguarding, contracts, and risk assessments

The DPO will complete updated GDPR training during the **2025/2026 academic year**.

3.2 All Staff and Volunteers

All staff must:

- Understand and follow data protection procedures
- Complete GDPR training
- Handle personal data securely and confidentially
- Report concerns or breaches immediately
- Seek advice from the DPO when unsure

KCSIE 2025 emphasises that all staff must understand how to handle safeguarding information securely.

4. Lawful Basis for Processing

WILTS-EAL processes data under the lawful bases defined in UK GDPR, including:

- Public task** (education and safeguarding)
- Legal obligation**
- Vital interests** (emergency situations)
- Consent** (limited use, e.g., photos for website)

Consent is **not** the primary lawful basis for most processing involving children, in line with DfE guidance.

5. Children's Data

Children have the same rights as adults under GDPR.

WILTS-EAL ensures:

- Additional safeguards for children's data
- Competence-based consent where appropriate
- Parental consent where required
- Compliance with rules for **information society services**, where children must be **13+** to consent

This aligns with DfE and ICO expectations for processing children's data.

6. Data Protection Training

All staff receive:

- GDPR induction
- Annual refresher training
- Additional training linked to safeguarding responsibilities (as required by KCSIE 2025)

Training includes recognising DSARs, reporting breaches, and secure handling of sensitive safeguarding information.

7. Data Breaches

A data breach includes accidental or unlawful:

- Loss
- Destruction

- Alteration
- Unauthorised disclosure
- Unauthorised access

All breaches must be reported **immediately** to the DPO.

Where there is a risk to individuals' rights or freedoms, the breach must be reported to the **ICO within 72 hours**, in line with DfE guidance.

Examples of reportable breaches include risks of:

- Discrimination
- Identity theft
- Financial loss
- Reputational damage
- Loss of confidentiality

WILTS-EAL maintains a **Data Breach Log** and records all investigations and outcomes.

8. Data Subject Access Requests (DSARs)

Data subjects may request access to their personal data **in any format** (verbal or written).

WILTS-EAL will:

- Recognise all DSARs
- Respond within **one month** (extensions possible)
- Verify identity before releasing data
- Record the request, response, and outcome

This aligns with DfE guidance on DSAR handling in schools.

9. Data Sharing and Transfers

9.1 Within the UK

Personal data may only be shared with processors who:

- Have a compliant contract in place
- Meet UK GDPR security standards

9.2 Outside the UK

Additional safeguards must be applied, including:

- Adequacy decisions
- Standard contractual clauses
- Risk assessments

9.3 Safeguarding Information

KCSIE 2025 requires safeguarding information to be:

- Shared on a **need-to-know basis**
- Stored securely
- Transferred safely when learners move settings

10. Apps and Digital Tools

Any app used to store or process personal data must:

- Be GDPR-compliant
- Have appropriate terms and conditions
- Be approved by the DPO
- Have a contract in place where required

This aligns with DfE digital safeguarding expectations.

11. Record Keeping

WILTS-EAL maintains:

- **A Record of Processing Activities (ROPA)**
- **A Data Breach Log**
- **A DSAR Log**
- DPIA records
- Staff training records
- Secure safeguarding files (as required by KCSIE 2025)

All records are:

- Stored securely
- Accessed only by authorised staff
- Retained according to statutory retention schedules

12. Links to Safeguarding

Data protection is integral to safeguarding.

KCSIE 2025 requires secure handling of all safeguarding information and emphasises the importance of confidentiality and appropriate information sharing.

This policy must be read alongside the **Safeguarding & Child Protection Policy**.

13. Supervisory Authority

The supervisory authority for UK GDPR is the **Information Commissioner's Office (ICO)**.

WILTS-EAL follows all ICO guidance and reporting requirements.

14. Review and Approval

Written by: Hannah Lindsay (DPO & Managing Director)

Review Date: 1 September 2025

Next Review Due: 1 September 2026

Sources

KCSIE 2025: Data Protection, AI, and Cyber Security
Keeping Children Safe in Education 2025 (DfE)
Data Protection in Schools – DfE Guidance (updated October 2025)