

## **Privacy notice for visitors and contractors to the organisation's premises.**

Under data protection law, individuals have a right to be informed about how the organisation uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice describes how we collect and use personal information about you during and after your visit with us, in accordance with the UK General Data Protection Regulation (UK GDPR).

Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relate to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR.

This notice applies to all current and former visitors and contractors.

We, Remarkable Autism Ltd, are the 'data controller' for the purposes of data protection law. This means that we are responsible for deciding how we hold and use personal information about you.

Our Data Protection Officer is Judicium (see 'Contact us' below).

This notice does not form part of a contract to provide services and we may update this notice at any time.

It is important that you read this notice, with any other policies mentioned within this privacy notice, so you understand how we are processing your information and the procedures we take to protect your personal data.

### **Data Protection Principles**

We will comply with the data protection principles when gathering and using personal information, as set out in our data protection policy.

### **The personal data we hold**

We process data relating to those visiting our premises (including contractors). Personal data that we may collect, process, hold and share (where appropriate) about you includes, but is not restricted to:

- Personal information and contact details such as name, title, addresses, date of birth, marital status, phone numbers and personal email addresses;
- Criminal records information as required by law to enable you to work with children e.g. DBS checks;
- Information relating to your visit, e.g. your company or organisations name, arrival and departure time, car number plate;
- Information about any access arrangements you may need;
- Photographs for identification purposes for the duration of your visit;
- CCTV footage captured by the organisation.

We may also collect, store and use the following more sensitive types of personal information:

- Information about your race or ethnicity, religious or philosophical beliefs
- Information about your health, including any medical conditions.

### **Why we use this data**

We use this data to:

- Identify you and keep you safe while on the organisation's sites
- Keep students and staff safe
- Maintain accurate records of visits to the organisation's sites
- Provide appropriate access arrangements

### **Our lawful basis for using this data**

We only collect and use your personal data when the law allows us to. Most commonly, we process it where we need to comply with our legal obligation to keep our students and staff safe while on the organisation's premises.

Less commonly, we may also process your personal data in situations where:

- We need it to perform an official task in the public interest
- We have obtained consent to use it in a certain way
- We need to protect someone's vital interests (or someone else's vital interests)

Where we have obtained consent, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how to withdraw it.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify our use of your data.

### **Collecting this information**

Some of the information we collect from you is mandatory, and in some cases you can choose whether or not to provide the information to us.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

We will only collect the data that we need in order to fulfil our purposes, which are set out above.

### **How we store and use this data**

We will keep your personal data while you are visiting our organisation.

We may also keep it beyond this, if necessary, to comply with our legal obligations.

Our Data Protection Policy sets out how long we keep information about visitors.

Our Data Protection Policy is available on our website via the following link: [Data Protection Policy](#).

If you would prefer to be sent either an electronic or paper copy of the policy, please contact our Data Protection Officer.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it.

We will only use your personal information when the law allows us to. Most commonly, we will use your information in the following circumstances:

- Where we need to perform the contract we have entered into with you;
- Where we need to comply with a legal obligation (such as health and safety legislation, under statutory codes of practice and employment protection legislation);

- Where it is needed in the public interest or for official purposes;
- Where it is necessary for our legitimate interests (or those of a third party) and your interests, rights and freedoms do not override those interests.
- When you have provided us with consent to process your personal data.

We need all the categories of information in the list above primarily to allow us to perform our contract with you, with your consent and to enable us to comply with legal obligations.

The situations in which we will process your personal information are listed below:

- Ensure the safe and orderly running of the organisation;
- To manage our workforce and those deployed on site;
- Personnel management including retention
- In order to manage internal policy and procedure;
- Complying with legal obligations;
- Carry out necessary administration functions to allow visitors and contractors on site;
- To monitor and manage access to our systems and facilities in order to protect our networks and for the purposes of safeguarding;
- To monitor and protect the security of our network and information, including preventing unauthorised access to our computer network and communications systems and preventing malicious software distribution;
- To answer questions from insurers in respect of any insurance policies which relate to you;
- Health and safety obligations;
- Prevention and detection of fraud or other criminal offences; and
- To defend the organisation in respect of any investigation or court proceedings and to comply with any court or tribunal order for disclosure.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

We will only use your personal information 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.

### **Data sharing**

We may need to share your data with third parties, including third party service providers where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so. These include the following:

- the Department for Education (DfE);
- Ofsted;
- Law enforcement officials such as police, HMRC;
- LADO;
- Professional advisors such as lawyers and consultants;
- Support services (including HR support, insurance, IT support, information security, pensions and payroll);
- The Local Authority; and
- DBS.

Information will be provided to those agencies securely or anonymised where possible.

The recipient of the information will be bound by confidentiality obligations, we require them to respect the security of your data and to treat it in accordance with the law.

### **How we use Particularly Sensitive Information**

Sensitive personal information (as defined under the UK GDPR as “special category data”) require higher levels of protection and further justification for collecting, storing and using this type of personal information. We may process this data in the following circumstances:

- In limited circumstances, with your explicit written consent;
- Where we need to carry out our legal obligations in line with our data protection policy;
- Where it is needed in the public interest, such as for equal opportunities monitoring;
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards. Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent.

### **Criminal Convictions**

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where it is necessary to carry out our legal obligations. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.

### **Retention Periods**

Except as otherwise permitted or required by applicable law or regulation, the organisation only retains personal data for as long as necessary to fulfil

the purposes they collected it for, as required to satisfy any legal, accounting or reporting obligations, or as necessary to resolve disputes.

We will retain and securely destroy your personal information in accordance with our data retention policy. This can be found [here](#).

### **Security**

We have put in place measures to protect the security of your information (i.e. against it being accidentally lost, used or accessed in an unauthorised way). In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. Details of these measures are available upon request.

You can find further details of our security procedures within our Data Breach policy, which can be found [here](#).

### **Your rights**

#### **How to access the personal information we hold about you**

Individuals have a right to make a 'subject access request' to gain access to personal information that the organisation holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have a right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our Data Protection Officer.

#### **Your other rights regarding your data**

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

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than a person)

- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict its processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our Data Protection Officer.

### **Right to Withdraw Consent**

In the limited circumstances where you may have provided your consent to the collection, processing, and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact our Data Protection Lead. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

We hope that our Data Protection Lead can resolve any query you raise about our use of your information in the first instance. Contact via email at: [dataprotectionlead@remarkable-autism.org](mailto:dataprotectionlead@remarkable-autism.org).

We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by our Data Protection Lead, then you can contact the DPO on the details below:

Data Protection Officer: Judicium Consulting Limited

Address: 72 Cannon Street, London, EC4N 6AE

Email: [dataservices@judicium.com](mailto:dataservices@judicium.com)

Web: [www.judiciumeducation.co.uk](http://www.judiciumeducation.co.uk)

Lead Contact: Craig Stilwell

### **Complaints**

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance by emailing [dataprotectionlead@remarkable-autism.org](mailto:dataprotectionlead@remarkable-autism.org).

To make a complaint, please contact our Data Protection Officer.

Alternatively, you can 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.