

Accessible Education Provision for Neurodivergent Children  
through graduated interventions and academic support



*An organisation that aims to improve every child's life  
by being closer to nature,  
providing equality in learning  
and promoting well-being*

# DATA PROTECTION POLICY FOR RAW LEARNING

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## **1. Introduction**

Raw Learning is committed to promoting and safeguarding the welfare of our learners, and we expect all of our facilitators, learners and volunteers to share in this commitment.

We collect and hold data concerning the learners, parents and facilitators and we take our responsibilities for the safe management of this data very seriously and we aim to comply with GDPR and DPA 2018

## **2. Aims and Objectives**

Our provision aims to ensure that all personal data collected about facilitators, learners, parents, visitors, and other individuals is collected, stored, and processed in accordance with the following legislation:

- UK General Data Protection Regulation Jan 2021 ( <https://www.legislation.gov.uk/eur/2016/679/contents>);
- [General Data Protection Regulation \(EU\) 2016/679 \(GDPR\)](#); and
- the [Data Protection Act 2018 \(DPA 2018\)](#).

This policy applies to all personal data, regardless of whether it is in paper or electronic format, and it is based on the guidance published by the Information Commissioner's Office (ICO) on GDPR.

## **3. Policy Statement**

It is necessary for Raw Learning to collect personal information about the children who attend our provision as well as facilitators and parents/carers.

GDPR condenses the Data Protection Principles into Privacy Principals which state:

1. You must have a lawful reason for collecting personal data and must do it in a fair and transparent way.
2. You must only use the data for the reason it is initially obtained.
3. You must not collect any more data than is necessary.
4. It must be accurate and there must be mechanisms in place to keep it up to date.
5. You cannot keep it any longer than needed.
6. You must protect the personal data.
7. You must have appropriate measures against unauthorised or unlawful processing of personal data and against accidental loss or destruction/damage to personal data.
8. Personal data shall not be transferred to any outside agency or country within the EU that does not comply with the new General Data Protection regulations.

The GDPR also provides the following rights for individuals:

- The right to be informed.
- The right of access.
- The right to rectification.

- The right to erase.
- The right to restrict processing.
- The right to data portability.
- The right to object.
- Rights in relation to automated decision-making and profiling.

## **4. Roles and Responsibilities**

Our provision processes personal data relating to parents, learners, facilitators, visitors and others, and therefore is a **data controller**.

The provision is registered with the ICO and has paid its data protection fee to the ICO, as legally required. Our registration number is: **ZB048013**

This policy applies to **all facilitators** employed by our provision, and to external organisations or individuals working on our behalf. Facilitators who do not comply with this policy may face disciplinary action.

### The Director:

The **Director** of Raw Learning, Rachel King, has overall responsibility for ensuring that our provision complies with all relevant data protection obligations.

### Management of Data held by Raw Learning:

Our IT support company is responsible for ensuring our compliance with data protection law by providing secure storage for our sensitive/personal information and records.

### Facilitators:

All **Facilitators** are responsible for:

- Collecting, storing and processing any personal data in accordance with this policy
- Informing the provision of any changes to their personal data, such as a change of address
- Contacting the DPO in the following circumstances:
  - With any questions about the operation of this policy, data protection law, retaining personal data or keeping personal data secure
  - If they have any concerns that this policy is not being followed
  - If they are unsure whether or not they have a lawful basis to use personal data in a particular way
  - If they need to rely on or capture consent, draft a privacy notice, deal with data protection rights invoked by an individual, or transfer personal data outside the European Economic Area
  - If there has been a data breach
  - Whenever they are engaging in a new activity that may affect the privacy rights of individuals
  - If they need help with any contracts or sharing personal data with third parties

## **5. Collecting personal data**

We will only process personal data where we have one of 6 'lawful bases' (legal reasons) to do so under data protection law:

- The data needs to be processed so that the provision can **fulfil a contract** with the individual, or the individual has asked the provision to take specific steps before entering into a contract
- The data needs to be processed so that the provision can **comply with a legal obligation**
- The data needs to be processed to ensure the **vital interests** of the individual or another person i.e. to protect someone's life
- The data needs to be processed so that the provision as a public authority, can **perform a task in the public interest or exercise its official authority**
- The data needs to be processed for the **legitimate interests** of the provision (where the processing is not for any tasks the provision performs as a public authority) or a third party, provided the individual's rights and freedoms are not overridden

- The individual (or their parent/carer when appropriate in the case of a pupil) has freely given clear **consent**

The majority of the data we collect falls under the lawful basis 'complying with a legal obligation', such as names, addresses, date of birth.

We also collect data which requires parents/carers to give consent for us to carry out activities as part of our work, such as photographs and videos of children at work. Parents are required to sign a consent form to allow photographs to be taken for any or all of the following purposes and can choose how they will allow their child's photographs to be used:

- To record the work the child has done
- To post onto our Social Media pages for parents to view
- In advertising, such as posters or flyers for marketing and promotional purposes

Parents may refuse or withdraw their consent at any time. If consent is withdrawn, we will delete the photograph or video and not distribute it further.

Any photographs and videos taken by parents/carers at provision events for their own personal use are not covered by data protection legislation. However, we will ask that photos or videos with other learners are not shared publicly on social media for safeguarding reasons, unless all the relevant parents/carers have agreed to this.

We will always consider the fairness of our data processing. We will ensure we do not handle personal data in ways that individuals would not reasonably expect or use personal data in ways which have unjustified adverse effects on them.

## **6. Sharing personal data**

We will not normally share personal data with anyone else without consent, but there are certain circumstances where we may be required to do so. These include, but are not limited to, situations where:

- There is an issue with a pupil or parent/carer that puts the safety of our facilitators at risk
- We need to liaise with other agencies – we will seek consent as necessary before doing this
- Our suppliers or contractors need data to enable us to provide services to our facilitators and learners – for example, IT companies. When doing this, we will:
  - Only appoint suppliers or contractors which can provide sufficient guarantees that they comply with data protection law
  - Establish a contract with the supplier or contractor to ensure the fair and lawful processing of any personal data we share
  - Only share data that the supplier or contractor needs to carry out their service

We will also share personal data with law enforcement and government bodies where we are legally required to do so.

We may also share personal data with emergency services and local authorities to help them to respond to an emergency situation that affects any of our learners or facilitators.

## **7. Procedures**

We will protect personal data and keep it safe from unauthorised or unlawful access, alteration, processing or disclosure, and against accidental or unlawful loss, destruction or damage. All data collected is only accessed by authorised individuals.

Data kept on electronic devices is password protected. All paper forms are kept locked away.

Facilitators ensure that any photographs taken during the course of their work with learners are deleted once they have been shared onto our private social media site.

We will hold information about individuals only for as long as the law says and no longer than necessary. After this, information will be disposed of securely.

On registering their child with Raw Learning, parents/carers are directed to our Privacy Notice on our website (which informs them of how and why we collect data, what information we collect and why we may be required to share it) which should be read alongside our Data Protection Policy

This policy was adopted by	Raw Learning
On	22 <sup>nd</sup> May 2024
Date to be reviewed	22 <sup>nd</sup> May 2025
Signed on behalf of the provider	<i>Rachel King</i>
Name of signatory	Rachel King
Role of signatory	Director