



Data Protection Document DP – 02

DATA PROTECTION POLICY.

Original document approved in July 2018 by P Knowles,
(Managing Director, responsible for
Education & Outdoor Education); and by
W Relf, (Director, Head of Care, Responsible Individual,
and Data Protection Officer).

Next review due in July 2021.

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1. Introduction

Arnfield Care Limited ("the Company") is fully committed to protecting the privacy and security of all personal data that is held on its employees, (including volunteers and contractors), and service users (and their families).

The Company fully recognises its duties and obligations under current data protection legislation – primarily the *General Data Protection Regulations 2018* (GDPR), and other legislation and guidance including the *Children Act 2004*, the *Children's Homes (England) Regulations 2015*, the *Guide to the children's homes regulations including the quality standards* (2015), *Working together to safeguard children* (2018), *Keeping children safe in education* (2016 & 2018), and *Information sharing advice for practitioners providing safeguarding services* (2018).

For an explanation of the terms used and other information in this and other data protection documents, please refer to document DP-01: *Data Protection Index, Terminology, Legislation and Information*.

2. General Data Protection Principles.

When collecting, processing and storing any personal information, the Company will comply with current data protection law.

Article 5(1) of the GDPR requires that all personal information held must be:

- (a) *processed lawfully, fairly and in a transparent manner in relation to individuals;*
- (b) *collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with these purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;*
- (c) *adequate, relevant to what is necessary in relation to the purposes for which they have been processed.*
- (d) *accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data are inaccurate, having regard for the purposes for which they are processed, are erased or rectified without delay;*
- (e) *kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data was processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and*
- (f) *processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage using appropriate technical or organisational measures.*

3. Processing data and data subjects' rights

. All data subjects have the right to:

- **Request access** to their personal information (a 'data subject access request'). This enables an individual to request a copy of the personal information the Company holds on them, and to check that it is being processed lawfully.
- **Request correction** of personal information the Company holds about a data subject. This enables the individual concerned to have any incomplete or inaccurate information corrected.
- **Request erasure** of personal information. This enables a data subject to ask the Company to delete or remove personal information where there is no good reason for this to continue to be processed.

A data subject also has the right to request the deletion or removal of personal information where they have exercised their right to object to processing.

- **Object to processing** of personal information where the Company is relying on a legitimate interest, or the legitimate interest of a third party, and there is something about an individual's particular situation which they feel gives them grounds to object to the processing.

Data subjects also have the right to object to processing of their personal information for direct marketing purposes.

- **Request the restriction of processing** of personal information. This enables a data subject to ask the Company to suspend the processing of their personal information, for example if the individual wishes the Company to establish its accuracy, or the reason for processing it.
- **Request transfer** of personal information to a third party.
- **Withdraw consent** that the data subject has given at any time, to the collection, provision and transfer of personal information for a specific purpose.

4. Enquiries, grievances and complaints

Any enquiries by an employee about any data protection policies or related procedures, and any grievances or complaints should normally be addressed to the Data Protection Officer (DPO).

Enquiries by a service user may be addressed to their key workers, or to senior/managerial staff in the children's home or school in the first instance, but may also be addressed directly to the DPO.

An employee may access the Company complaints policy, or the Company Employee Grievance Procedures regarding any complaint or grievance concerning data protection.

A service user may access the Company complaints procedure, or their placing authority's complaints procedure, or make representation to Ofsted, regarding any complaint concerning data protection.

All data subjects have the right to contact the Information Commissioner's Office (ICO) with any enquiry, grievance or complaint regarding data protection if they wish to do so.

5. The Data Protection Officer

The Company has appointed a Data Protection Officer (DPO) to oversee compliance with this (and any subsequent) policy documents. The DPO is Mr Wayne Relf, Head of Care and Responsible Individual who can be contacted at the Company head office, and any questions or complaints about data protection, and how personal information is handled, may be addressed to him.

The Company contact details are as follows:

Postal address: Arnfield Care Limited
 Brookbank House
 34 Wellington Road
 Bollington
 Cheshire
 SK10 5JR

Telephone: 01625 573797

E-mail: info@arnfieldcare.co.uk

6. The Information Commissioner's Office.

Any employee or service user has the right at any time to make an enquiry, or raise a complaint, with to the Information Commissioner's Office (ICO), which is the UK supervisory authority for data protection issues.

The contact details for the ICO are as follows:

Postal address: Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 0303 123 1113
01625 545 745

Fax: 01625 525 510

e-mail: via the ICO website: <https://ico.org.uk>

7. Changes to this policy.

This policy will be reviewed at least annually. The Company reserves the right to update this policy at any time, and will provide all employees and service users with access to a copy of the new data protection policy when there have been any substantial updates or revisions. The Company may also notify employees and service users in other ways from time to time about other matters pertaining to data protection.

Any questions about this policy, or other data protection issues, should be addressed to the DPO, whose contact details appear in below.

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P Knowles, Managing Director with responsibility for education and outdoor education.
W Relf, Director, Head of Care, Responsible Individual and Data Protection Officer.
J Simmons, Consultant
Arnfield Care Limited.
