



Fairfield Trust

Learner / Parent / Carer Privacy Policy

Fairfield Trust takes data privacy seriously. We recognise and value the trust that individuals place in us when providing us with personal data and we are committed to safeguarding the privacy and security of personal data we may collect from young people (learners) and their parents/carers.

1. **What is this document and why should you read it?**

- 1.1 This privacy notice explains how and why Fairfield Trust (also referred to in this notice as “**we**”, “**our**” and “**us**”) uses personal data about learners. (referred to as “**you**”).
- 1.2 You should read this notice, so you know what we are doing with your personal data. Please also read any other privacy notices that we give you, that might apply to our use of your personal data in specific circumstances in the future.
- 1.3 This notice does not form part of any other contract between us and you.

2. **Fairfield Trust’s data protection responsibilities**

- 2.1 “**Personal data**” is any information that relates to an identifiable natural person. Your name, address, contact details and your photograph are all examples of your personal data, if they identify you.
- 2.2 The term “**process**” means any activity relating to personal data, including, by way of example, collection, storage, use, consultation and transmission.
- 2.3 Fairfield Trust is a “**controller**” of your personal data. This is a legal term – it means that we make decisions about how and why we process your personal data and, because of this, we are responsible for making sure it is used in accordance with data protection laws.

3. **What types of personal data do we collect and where do we get it from?**

- 3.1 In the course of running Fairfield Trust, and delivering educational services, we will collect personal information about learners/parents/carers. Where we don’t need your personal data, we will make this clear, for instance we will explain if any data fields in our application forms are not required.
- 3.2 Further details of the personal data we collect and where we get it from are set out at [Schedule 1](#).
- 3.3 We collect many different types of personal data for lots of reasons (which are described at **schedule 2** below). Personal data may come from different places.
- 3.4 For each reason, we can tell you why this is fair and legal. For most of the reasons we collect your information, this will be because we are doing so for a fair and valid reason, to help you learn and to keep you safe. This is called a ‘legitimate interest’ under the law.
- 3.5 You provide us with personal data when you (or your parent/carers apply on your behalf) to become a learner and when you complete any forms, surveys or questionnaires we give you or when you correspond with us. We also obtain some personal data from other sources such as previous schools or colleges or your doctor and there may be times when we create some personal data ourselves.
- 3.6 As you can see from the table at [Schedule 1](#), we collect your personal information from you directly and sometimes we obtain it from other people and organisations, including your emergency contacts and your use of Fairfield Trust provided systems and platforms.

- 3.7 If any of the personal information you have given to us changes, such as your contact details, please inform us without delay by contacting Tamasin Jones Head of HR Tamasin.jones@ffc.ac.uk.
4. **What do we do with your personal data, and why?**
- 4.1 We process your personal data for particular purposes in connection with your educational needs and the administration of our business.
- 4.2 We are required by law to always have a “lawful basis” (i.e. a reason or justification) for processing your personal data. There are **six** lawful bases for processing – they are set out in the law, and they are where:
- 4.2.1 the individual has given his or her consent to the processing;
 - 4.2.2 the processing of the individual’s personal data is necessary to perform a contract with that individual or to take steps at the request of the individual before entering into a contract;
 - 4.2.3 the processing is necessary to comply with a legal obligation to which we are subject;
 - 4.2.4 the processing is necessary in order to protect the vital interests of an individual;
 - 4.2.5 the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us; and
 - 4.2.6 the processing is necessary for our legitimate interests, provided those interests are not overridden by the individual’s interests, rights or freedoms.
- 4.3 The table at [Schedule 2](#) sets out the different purposes for which we process your personal data and the relevant lawful basis on which we rely for that processing.
- 4.4 If you would like more information on any of the purposes for which we process your personal data, please contact Tamasin Jones Head of HR at tamasin.jones@ffc.ac.uk
- 4.5 Please note that:
- 4.5.1 where our processing is based on your consent, **you can withdraw your consent** at any time. If you do this, it won’t impact any processing we’ve done prior to that date.
 - 4.5.2 where we process your personal data because it is necessary for our legitimate interests, **you can object** to our processing at any time. If you object, we will stop processing unless we can show you a compelling reason why the processing overrides your privacy rights or where the processing is for the establishment, exercise or defence of any potential legal claims.
- 4.6 In addition, where we have indicated in [Schedule 2](#) that our processing of your personal data is either:
- 4.7 It may also be legal and fair to use or share your information because: the law tells us to, to protect a person’s life, to carry out a task which people think we do as it is in their interest.
- 4.8 **Automated decision-making**
- 4.8.1 Sometimes, we use your personal data for automated decision making (in other words, decision-making **solely** by automated means without any human involvement), including ‘profiling’ (automated processing to evaluate certain things about an individual). For example, we may:
 - 4.8.1.1 Assess Individual vulnerability factors from Risk Assessments EG, relating to Covid absences.
 - 4.8.1.2 Automatically collect, collate and report feedback on your learning from staff supporting you with your learning as part of our assessment process.

- 4.8.2 If any of our automated decision-making has legal or other significant effects on you, we will only make those decisions if:
- 4.8.2.1 it is authorised by applicable law; or
 - 4.8.2.2 we have your explicit consent.

Sensitive personal data

Sometimes we collect sensitive information about learners. We are required by law to treat certain categories of personal data with even more care than usual and we need an even stronger reason to collect this type of data. An example of this type of data is the medication that you take or allergies that you may have. We collect this data to keep you healthy and to prevent you from getting unwell. These are called special categories of personal data – and in this notice, we refer to them as “**sensitive personal data**”. For these categories of personal data, different lawful bases apply. The table at [Schedule 3](#) sets out the different purposes for which we process your sensitive personal data and the relevant lawful basis on which we rely for that processing. For some processing activities, we consider that more than one legal basis may be relevant – depending on the circumstances.

5. Why we may share learner information

- 5.1 Sometimes we need to disclose your personal data to other people where the law lets us. For example, this might be so we can offer services such as careers advisors to you. We are allowed to do this under a law called the Education Act 1996.
- 5.2 From time to time, we may ask third parties to carry out certain business functions for us, such as our IT support provider. These third parties will process your personal data on our behalf (as our processor). We will disclose your personal data to these parties so that they can perform those functions. Before we disclose your personal data to other people, we will make sure that they have appropriate security standards in place to make sure your personal data is protected and we will enter into a written contract imposing appropriate security standards on them. Examples of these third-party service providers include service providers and/or sub-contractors, include our IT systems software and server hosting providers.
- 5.3 In certain circumstances, we will also disclose your personal data to third parties who will receive it as controllers of your personal data in their own right for the purposes set out above. We have set out below a list of the categories of recipients with whom we are likely to share your personal data:
- 5.3.1 Partner organisations where you undertake a placement as part of your studies. For example, a work experience placement.
 - 5.3.2 IT service providers. For example, the provision of email services.
 - 5.3.3 Registration with statutory bodies. For example, examination board awarding bodies. The Department for Education (DFE) including the Education Skills and Funding Agency (ESFA). The ESFA is an executive agency of the DFE. To find out more information about information collection requirements placed on us by the DFE, including the information we share with them, please go to: <https://educationhub.blog.gov.uk/2022/10/07/the-school-census-what-you-need-to-know/>
 - 5.3.4 Ofsted and CQC as required.
 - 5.3.5 Approved professional external support providers such as the Local Authority including but not limited to, social workers, Adult social Care, SEN Team, educational psychologists, and other such third-party agencies.
 - 5.3.6 Medical professionals and other people who support your learning.
 - 5.3.7 The police (if there is a serious safeguarding concern) or other emergency services if there is an emergency on site.
 - 5.3.8 Our insurance company if there is an incident on site.

6. **How do we keep your personal data secure?**

We will take specific steps (as required by applicable data protection laws) to protect your personal data from unlawful or unauthorised processing and accidental loss, destruction or damage. For more information, you can contact Tamasin Jones at tamasin.jones@ffc.ac.uk

How long do we keep your personal data for?

6.1 If you are a learner, we will keep your personal data for as long as is necessary in connection with both our and your legal rights and obligations. This may mean that we keep some types of personal data for longer than others.

6.2 We will only retain your personal data for a limited period of time. This will depend on a number of factors. We think about these factors and then decide an amount of time we think we need your information for. Factors that we consider include:

6.2.1 any laws or regulations that we are required to follow;

6.2.2 the existence of a legal or other type of dispute to which your Personal Information may be relevant;

6.2.3 the type of information that we hold about you; and

6.2.4 whether we are asked by you or a regulatory authority to keep your personal data for a valid reason.

Further details regarding how long we keep your personal data can be found in our Retention Policy which is available on request from Tamasin Jones Head of HR at tamasin.jones@ffc.ac.uk

7. **What are your rights in relation to your personal data and how can you exercise them?**

7.1 You may have certain legal rights in relation to your personal data which we hold.

7.2 Where our processing of your personal data is based on your **consent** (see [Schedule 4](#)), you have the right to withdraw your consent at any time. If you do decide to withdraw your consent, we will stop processing your personal data for that purpose, unless there is another lawful basis we can rely on – in which case, we will let you know. Your withdrawal of your consent won't impact any of our processing up to that point.

7.3 Where our processing of your personal data is necessary for our **legitimate interests** (see [Schedule 4](#)), you can object to this processing at any time. If you do this, we will need to show either a compelling reason why our processing should continue, which overrides your interests, rights and freedoms or that the processing is necessary for us to establish, exercise or defend a legal claim.

7.4 You have the right to limit how we use your information and you may object to (stop) us using your information in some cases. You can ask us to change it if you think it is wrong. You can ask us to delete it, or you can tell us how you want us to share your information or limit how we use it. You can also tell us that you want us to stop using your information.

7.5 If you wish to exercise any of these rights or if you wish to find out what information we hold about you, please contact Tamasin Jones Head of HR at tamasin.jones@ffc.ac.uk

7.6 You also have the right to lodge a complaint with the Information Commissioner's Office Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Tel: 0303 123 1113.

8. **Updates to this notice**

We may update this notice from time to time to reflect changes to the type of personal data that we process and/or the way in which it is processed. We will update you on material changes to this notice. We also encourage you to check this notice on a regular basis.

9. **Where can you find out more?**

If you have any queries about how Fairfield Trust process your personal data, please contact Tamasin Jones Head of HR at tamasin.jones@ffc.ac.uk

Schedule 1

Categories of personal data

The table below sets out details of the personal data we collect and where we get it from. As you can see, we collect your personal information from you directly and sometimes we obtain it from other people and organisations, including some public sources, your emergency contacts, your use of Fairfield Trust provided assets, systems and platforms, third party benefits providers and staff who support you.

Type of personal data	Collected from
a) Contact Information	
- Name(s) - Address(es) - Email address(es) - Contact details including mobile telephone number(s)	You/your parent/carer or supporting person
b) Personal Information	
- Date of birth - Gender - Next of kin or other dependants - Lifestyle and social circumstances - Emergency contact information - Family relationships - Attendance records - Previous education information / training and employment - Previous course work submissions and examinations scripts etc - Free school meal entitlement	You/your parent/carer or supporting person
c) Identity and Background Information	
- Details of education and qualifications and results - Experience and skills - Image or photographs - Application Form	You/your parent/carer or supporting person
d) Financial Information	
- Bank account details (where required) - National insurance number and/or other governmental identification numbers (where required)	You/your parent/carer or supporting person
e) Sensitive Personal Data	
- Racial or ethnic origin (including your nationality and visa information) - Religious beliefs - Biometric data - Data concerning physical and/or mental health, including accident reports, day-to-day health concerns such as diabetes or epilepsy conditions which we should be aware of, dietary requirements, allergies, drug and alcohol test results and reasons for any short term or long-term absence - Health and safety and accident records and reports - Safeguarding records - Behavioural or therapy records	You/your parent/carer or supporting person Your use of Fairfield Trust security control systems

Type of personal data	Collected from
• NHS Number • Individual Learning Plans • Case and Clinical notes • Annual review documentation • Court orders or criminal petitions (to ensure we comply with safeguarding responsibilities to protect the welfare of learners) • Copies of EHCPs and therapy reports • Progress data	
f) Benefits Information	
• Local Authority funding (IE transport funding)	• You/your parent/carer or supporting person • Third party benefits providers • Local Authority
g) Asset, Systems and Platform Usage and Communications Information	
• Computer records • Access logs and usage records from document management systems and other Fairfield Farm Trust provided applications and technologies • User IDs and password information • IP addresses and device identifiers • Records of messages and/or internet or other data traffic and communications	• You/your parent/carer or supporting person • Your use of Fairfield Trust assets, systems and platforms
h) Security, Location and Access Information	
• Information (including image and biometric data) captured or recorded by electronic card access systems, CCTV and other security control systems	• You/your parent/carer or supporting person • Your use of Fairfield Trust security control systems

Schedule 2

Purposes for processing personal data

The table below sets out the different purposes for which we process your personal data and the relevant lawful basis on which we rely for that processing.

For some processing activities, we consider that more than one lawful basis may be relevant – depending on the circumstances.

Where our processing is necessary for our legitimate interests, those interests are the purposes listed below.

Recognised Legitimate Interests: In certain limited circumstances, we process personal information under the UK GDPR's recognised legitimate interests lawful basis. This includes processing that is necessary to safeguard children, young people and vulnerable adults, to respond to emergencies, or to prevent or detect crime where permitted by law. Where we rely on this lawful basis, we only process information that is necessary for those purposes and continue to comply with all other requirements of UK data protection law.

	Purposes of processing	Lawful basis We are permitted to process your personal data because...				
		1. You have given your consent to the processing (Please also see section 7.2)	2. It is necessary to administer our agreement with you	3. It is necessary for us to comply with a legal obligation	4. It is necessary for our legitimate interests or those of third parties (Please also see section 7.3)	5. It is necessary to protect your vital interests (or those of someone else)
	Application Administration					
a)	Administration of your application to the college to determine any support requirements/arrangements to allow enable you to study or reside at the college or one of the properties.		x			
b)	Registration and administration in support of your studies	x	x	x		
c)	Assessment and progression			x		
d)	Provision of the Trust's residencies			x		
e)	Access to support services IE I.T and Education Authorities		x	x		
f)	Provision of Learner ID and the administration of college and residencies security		x	x	x	

	Purposes of processing	Lawful basis We are permitted to process your personal data because...				
		1. You have given your consent to the processing (Please also see section 7.2)	2. It is necessary to administer our agreement with you	3. It is necessary for us to comply with a legal obligation	4. It is necessary for our legitimate interests or those of third parties (Please also see section 7.3)	5. It is necessary to protect your vital interests (or those of someone else)
g)	To maintain a academic record and detailed academic progress and qualifications (IE assessment and examination boards)		x	x		
h)	Administration of placements with partner institutions and organisations			x		

	Purposes of processing	Lawful basis We are permitted to process your personal data because...				
		1. You have given your consent to the processing (Please also see section 7.2)	2. It is necessary to administer our agreement with you	3. It is necessary for us to comply with a legal obligation	4. It is necessary for our legitimate interests or those of third parties (Please also see section 7.3)	5. It is necessary to protect your vital interests (or those of someone else)
i)	Processing of fees and payments		x	x		
j)	Providing Census or other information to Local Authorities or other regulatory bodies			x		
k)	Where there is a legal obligation to share your personal data with third parties such as the police and other law enforcement agencies to assist with investigations.			x		x
l)	Publishing your name in promotional materials such as recruitment campaigns or prospectus	x				

	Purposes of processing	Lawful basis We are permitted to process your personal data because...				
		1. You have given your consent to the processing (Please also see section 7.2)	2. It is necessary to administer our agreement with you	3. It is necessary for us to comply with a legal obligation	4. It is necessary for our legitimate interests or those of third parties (Please also see section 7.3)	5. It is necessary to protect your vital interests (or those of someone else)
m)	Recording of audio/images during sessions for use in education materials including evidence for learning	x			x	
n)	Participation in internal evaluations of teaching on your programme to gather feedback about the teaching and learning experience			x		

Schedule 3

Purposes for processing sensitive personal data. The table below sets out the different purposes for which we process your sensitive personal data and the relevant lawful basis on which we rely for that processing. For some processing activities, we consider that more than one legal basis may be relevant – depending on the circumstances.

	Purposes of processing	Sensitive data lawful basis We are permitted to process your personal data because...					
		1. You have given your explicit consent to the processing	2. It is necessary for your/our obligations and rights in the field of employment and social security and social protection law	3. It is necessary to protect the vital interests of the data subject or another person you or they are physically or legally incapable of giving consent	4. It is necessary for our establishment , exercise or defence of legal claims	5. It is necessary for reasons of substantial public interest	
a)	Racial or ethnic origin (including your nationality and visa information)	x					x
b)	Religious beliefs	x					x
c)	Biometric data (including fingerprint scans)						x
d)	Data concerning physical and/or mental health, including accident reports, day-to-day health concerns such as diabetes or epilepsy conditions which we should be aware of, dietary requirements, allergies, drug and alcohol test results and reasons for any short term or long-term absence						x
e)	Health and safety and accident records and reports						x
f)	Safeguarding records (such as court orders)					x	
g)	Special Educational Needs						x
h)	Behavioural Information (such as exclusions and any relevant alternative provisions)						x
i)	NHS Number						x
j)	Individual Learning Plans						x
k)	Case and clinical notes						x
l)	Annual review documentation						x
m)	Court orders or criminal petitions				x		
n)	Copies of EHCPs and therapy reports						x
o)	Progress data						x

Schedule 4

Individuals' rights

Your right	What does it mean?	Limitations and conditions of your right
Right of access	Subject to certain conditions, you are entitled to have access to your personal data (this is more commonly known as submitting a "data subject access request").	If possible, you should specify the type of information you would like to see to ensure that our disclosure is meeting your expectations. We must be able to verify your identity. Your request may not impact the rights and freedoms of other people, e.g. privacy and confidentiality rights of other learners.
Right to data portability	Subject to certain conditions, you are entitled to receive the personal data which you have provided to us and which is processed by us by automated means, in a structured, commonly-used machine readable format.	If you exercise this right, you should specify the type of information you would like to receive (and where we should send it) where possible to ensure that our disclosure is meeting your expectations. This right only applies if the processing is based on your consent or on our contract with you and when the processing is carried out by automated means (i.e. not for paper records). It covers only the personal data that has been provided to us by you.
Rights in relation to inaccurate personal or incomplete data	You may challenge the accuracy or completeness of your personal data and have it corrected or completed, as applicable. You have a responsibility to help us to keep your personal information accurate and up to date. We encourage you to notify us of any changes regarding your personal data as soon as they occur, including changes to your contact details, telephone number	Please always check first whether there are any available self-help tools to correct the personal data we process about you. This right only applies to your own personal data. When exercising this right, please be as specific as possible.
Right to object to or restrict our data processing	Subject to certain conditions, you have the right to object to or ask us to restrict the processing of your personal data.	As stated above, this right applies where our processing of your personal data is necessary for our legitimate interests. You can also object to our processing of your personal data for direct marketing purposes.
Right to erasure	Subject to certain conditions, you are entitled to have your personal data erased (also known as the " <i>right to be forgotten</i> "), e.g. where your personal data is no longer needed for the purposes it was collected for, or where the relevant processing is unlawful.	We may not be in a position to erase your personal data, if for example, we need it to (i) comply with a legal obligation, or (ii) exercise or defend legal claims.

Your right	What does it mean?	Limitations and conditions of your right
Right to withdrawal of consent	As stated above, where our processing of your personal data is based on your consent you have the right to withdraw your consent at any time.	If you withdraw your consent, this will only take effect for future processing.