



KISIMUL GROUP

GDPR Policy and Procedure Privacy and Cookies Policy

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Owner	COO
Policy Lead (s)	AsstDirQA&Comp
Department	QA & Compliance

As the operators of the website www.kisimul.co.uk ("**Website**"), Kisimul (as defined below) is committed to protecting and respecting your privacy. This Privacy and Cookies Notice & Policy ("**Policy**") (together with and any other documents referred to therein) sets out the basis on which the personal data collected from you, or that you provide to Us will be processed by Us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

For the purpose of the General Data Protection Regulation ("**GDPR**", from the GDPR implementation date) or, until GDPR implementation date, the Data Protection Act 1998, (collectively the "**Data Protection Laws**") the Data Controller is Kisimul Group Limited; and Kisimul Special Education Limited, Kisimul School Holdings Limited and Cruckton Hall Limited are also data controllers, together "**We**", "**Us**", "**Kisimul**".

YOUR PERSONAL INFORMATION

Information we collect from you

We collect and process some or all of the following types of information from you in the course of your use of the Website or providing our services (including care and education):

- We do not use 'cookies' but when visiting our website, your IP address is recorded.

- Information that you provide by filling in forms on the Website or filling in forms as part of the registration process. This includes:
 - (i) information provided at the time of registration of a resident, student or other person in receipt of care and/or education at Kisimul (a “**Person**”);
 - (ii) submitting an enquiry via our Website; or
 - (iii) requesting further information or services from us.

We may also ask you for information when you e.g. report a problem with the website.

- Specifically, personal details (which may be of a Person and/ or of the guardian/ parent of a Person, being the “**Legal Guardian**”) such as name, email address, telephone number or any information input when using the Website, completing our survey forms and, name, date of birth, address, family details, medical history, and education history when using our services.
- If you contact Us, We may keep a record of that correspondence.
- We may also ask you to complete surveys that we use for research purposes, although you do not have to respond to them.

The provision of name, email address, telephone number is required from you to enable us to respond to your enquiries which you submit using our online Website form.

Information We Collect From Other Sources

Where We provide care and/or education to Persons pursuant to contracts with health /local authorities, health agencies or other health providers (together, “**Stakeholders**”), We may obtain from the relevant Stakeholders personal data such as the Person’s name, address, email address, contact number, date of birth, family details, medical history, race, special educational needs, unique pupil number, ethnic origin, religion, genetics, parents name, parents address, parent e-mail address, and parents contact number.

USES MADE OF YOUR INFORMATION

In this section, “**special**” categories of data means personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership, and the processing of genetic data, biometric data (for the purpose of uniquely identifying a natural person), data concerning health or data concerning a natural person’s sex life or sexual orientation.

Lawful basis for processing

Where you have contacted us via the website, e-mail and telephone we rely on “legitimate interest” and the legitimate interest is: responding and contacting you regarding the enquiries you have made in relation to the services we offer, which includes enquiries you make about staff vacancies.

Contracts with a Legal Guardian

We may process data in order to perform our obligations pursuant to contracts entered into with the Legal Guardian of a Person. Accordingly, we rely on “legitimate interest” and the legitimate interest is: carrying out a contract with the party by which the data subject will be a Person.

Where we process special categories of data pursuant to such contracts, we do so also on the additional basis of explicit consent of the Person (provided that the Legal Guardian is authorised to give such consent on the Person’s behalf).

Contracts with Stakeholders

We may process data in order to perform our obligations pursuant to contracts entered into with a Stakeholder. Accordingly, we rely on “legitimate interest” and the legitimate interest is: the provision of a health care and education at the request of local government health authorities and agencies.

Where we process special categories of data pursuant to such contracts, we do so on the basis that “processing is necessary for the purposes of provision of health or social care or treatment or the management of health or social care systems and services pursuant to contract with a health professional”.

Employees and Staff

We may process personal data in order to perform our obligations pursuant to contracts entered into with an employee or staff member. Accordingly, we rely on “performance of a contract with the data subject” as the lawful basis on which the organisation collects and uses this personal data.

Purposes of processing

We use information held about you in the following ways:

- To provide you or a Person with our services, including care and/or education.
- To provide you with information and offers that you request from us.
- To carry out our obligations arising from any contracts entered into between you and us.
- To allow you to participate in interactive features of our service, when you choose to do so.
- To notify you about changes to our services.

DISCLOSURE OF YOUR INFORMATION

We routinely disclose your personal data and/or Person's data to third parties as follows:

- To our third party service providers, agents, subcontractors and other associated organisations for the purposes of completing tasks and providing services to you on our behalf (e.g. hosting our servers; pension and payroll arrangements; and providing private health and therapeutic care).
- To external partners (for example, school inspectors) for the purposes of reviewing the quality of the care and education provided.
- To Stakeholders when a Person leaves our education for another organisation.

We may disclose your personal data to any member of our corporate group, which means our subsidiaries, our ultimate holding company and its subsidiaries, as defined in section 1159 of the UK Companies Act 2006 (where applicable).

We may also disclose your and/or person's personal data to third parties:

- in the event that we sell or buy any business or assets, in which case We may disclose your personal data to the prospective seller or buyer of such business or assets; or
- if We or substantially all of our assets are acquired by a third party, in which case personal data held by Us about our customers will be one of the transferred assets; or
- if We are under a duty to disclose or share your or a person's personal data in order to comply with any legal obligation, or in order to enforce or apply our agreements with you or our Stakeholders; or
- to protect Our rights, property, or safety or that of our affiliated entities and our users and any third party We interact with the to provide the Website; or
- in relation to selected third parties only, only to the extent that you have consented to such selected third parties notifying you about certain goods or services, which may be of interest to you.

Other than as set out above, and save insofar as is necessary in order for us to carry out our obligations arising from any contracts entered into between you and Us, We will not share your data or person data with third parties unless We have procured express consent (from you or the Person or Legal Guardian, as appropriate) to do so.

STORING YOUR PERSONAL DATA

Security

We take appropriate measures to ensure that any personal data are kept secure, including security measures to prevent personal data from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal data to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect all personal data, we cannot guarantee the security of data transmitted to the Website; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

Keeping your personal data up to date

If your personal details change you may update them by contacting: your line manager if you are a staff member; the Registered Manager for Care Services; or the Head Teacher for school services. If you have any questions about how we use data collected which relates to you, please contact us by sending a request by email to: DPO@kisimul.co.uk.

We will endeavour to update your personal data within seven (7) working days of any new or updated personal data being provided to us, in order to ensure that the personal data we hold about you is as accurate and up to date as possible.

How long we keep your personal data

If you contact us using our e-mail address or via our website contact form (and you are not referred to Us via a Stakeholder), requesting general information about our services, we will hold personal data you choose to provide such as your name, telephone, e-mail address, for four (4) weeks from our last point of contact.

We will hold any information you provide to us, such as your name, data of birth, address, family details, medical history, educations history as follows:

If you are a Person for the purposes of this Policy:

- (i) (a) for seventy-five (75) years from the last date of entry for persons that are children; and (b) for [20] years from the last date of entry for adult persons; and
- (ii) if you do are not a person for the purposes of this Policy: for six (6) months following our last point of contact.

If you have visited the website, your IP addresses will be retained for two (2) weeks.

If you have submitted an enquiry via the website, the information will be retained for four (4) weeks.

Where we store your personal data

All information we hold about you is stored on our secure servers within the EEA.

YOUR RIGHTS

Under the General Data Protection Regulation you have a number of important rights free of charge. In summary, those include rights to:

- access to your personal data (or a person's personal data where you are the Legal Guardian) (together, the "Data") and to certain other supplementary information that this Policy is already designed to address
- require Us to correct any mistakes in the data which We hold
- require the erasure of data in certain situations
- receive the data which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party in certain situations
- object at any time to processing of data for direct marketing
- object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you
- object in certain other situations to our continued processing of data
- otherwise restrict our processing of data in certain circumstances
- claim compensation for damages caused by our breach of any data protection laws.

For further information on each of those rights, including the circumstances in which they apply, see the Guidance from the UK Information Commissioner's Office (ICO) on individuals' rights under the General Data Protection Regulation.

If you would like to exercise any of those rights, please:

- email, call or write to our Data Protection Officer;
- let us have enough information to identify you (e.g. Unique Student Number and/or Date Of Birth);
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill); and
- let us know the information to which your request relates.

HOW TO COMPLAIN

We hope that our Data Protection Officer can resolve any query or concern you raise about our use of your information.

The General Data Protection Regulation also gives you right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where any alleged infringement of data protection laws occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or telephone: 0303 123 1113.

CHANGES TO OUR PRIVACY POLICY

We reserve the right to modify this Policy at any time. Any changes We may make to our Policy in the future will be notified and made available to you using the Website. Your continued use of the services and the Website shall be deemed your acceptance of the varied privacy policy.

OUR USE OF COOKIES

The Website does not currently use cookies.

CONTACT

All questions, comments and requests regarding this Privacy and Cookies Policy should be addressed to our DPO by email at DPO@Kisimul.co.uk

Cruckton Hall Ltd is a subsidiary of Kisimul School Holdings Ltd and as such will adopt relevant policies, where appropriate, from Kisimul Group.