



GDPR Policy: Swallow Grange Alternative Provision

Organisation: Swallow Grange Alternative Provision **Address:** The Grange, Caistor Road,

Market Rasen, Lincolnshire LN7 6DL **Age Group Supported:** 4-11 year olds

Specific Needs Supported: Special Educational Needs and Disabilities (SEND) / Social, Emotional and Mental Health (SEMH) **Policy Version:** 1.0 **Effective Date:**

8th July 2025 **Review Date:** 8th July 2026 (Annually, or sooner if there are significant changes to legislation or practices)

1. Introduction

Swallow Grange Alternative Provision is committed to protecting the privacy and personal data of its pupils, parents/carers, staff, visitors, and other stakeholders. This policy outlines our commitment to complying with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA 2018).

Given our work with vulnerable children aged 4-11 with SEND/SEMH, we recognise the heightened sensitivity of the data we process and are dedicated to maintaining the highest standards of data protection, security, and transparency.

2. Scope

This policy applies to all personal data processed by Swallow Grange Alternative Provision, regardless of how it is collected, stored, or processed (e.g., paper, electronic, verbal). It applies to all staff, volunteers, contractors, and anyone else who processes personal data on behalf of Swallow Grange.

3. Key Definitions

- **Personal Data:** Any information relating to an identified or identifiable natural person ('data subject'). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological,

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genetic, mental, economic, cultural or social identity of that natural person.

- **Special Category Data:** Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, 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. Due to the nature of our provision, we process significant amounts of special category data related to health and SEND.

Processing: Any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

- **Data Controller:** The natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data. Swallow Grange Alternative Provision is the Data Controller for the data it processes.
- **Data Processor:** A natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.
- **Data Subject:** The identified or identifiable natural person to whom the personal data relates.
- **Information Commissioner's Office (ICO):** The UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.

4. Data Protection Principles

Swallow Grange Alternative Provision adheres to the seven key principles of UK GDPR:

- **Lawfulness, Fairness, and Transparency:** Personal data will be processed lawfully, fairly, and in a transparent manner in relation to the data subject.
- **Purpose Limitation:** Personal data will be collected for specified, explicit, and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
- **Data Minimisation:** Personal data collected will be adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed.
- **Accuracy:** Personal data will be accurate and, where necessary, kept up to date. Every reasonable step will be taken to ensure that personal data

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that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.

- **Storage Limitation:** Personal data will be kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.
- **Integrity and Confidentiality (Security):** Personal data will be 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.
- **Accountability:** Swallow Grange Alternative Provision, as the Data Controller, is responsible for, and must be able to demonstrate compliance with, the above principles.

5. Lawful Basis for Processing Personal Data

We will only process personal data when we have a lawful basis to do so under UK GDPR. For the data we process, the most common lawful bases will be:

- **Public Task:** Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in Swallow Grange Alternative Provision (e.g., providing education, safeguarding children). This is the primary basis for processing pupil data.
- **Legal Obligation:** Processing is necessary for compliance with a legal obligation to which Swallow Grange Alternative Provision is subject (e.g., fulfilling reporting requirements to the Department for Education, Local Authority, or other statutory bodies).
- **Contract:** Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract (e.g., employment contracts for staff).
- **Vital Interests:** Processing is necessary to protect the vital interests of the data subject or another natural person (e.g., in a medical emergency).
- **Legitimate Interests:** Processing is necessary for the legitimate interests pursued by Swallow Grange Alternative Provision or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data. This will be used sparingly and only when a clear assessment has been made.
- **Consent:** Where none of the above lawful bases apply, or for specific processing activities (e.g., marketing, publishing photographs), we will seek clear, explicit, and freely given consent. Consent will be obtained in a way that can be demonstrated and easily withdrawn. For children under 13, consent will be obtained from a parent or legal guardian.

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For **Special Category Data**, in addition to a lawful basis, we will meet one of the specific conditions under Article 9 of UK GDPR, most commonly:

- **Substantial Public Interest:** Processing is necessary for reasons of substantial public interest, on the basis of UK law (e.g., safeguarding children, provision of education, health or social care).
- **Health or Social Care:** Processing is necessary for the purposes of preventative or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services.
- **Vital Interests:** To protect the vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent.
- **Explicit Consent:** Where none of the above conditions apply, we will seek explicit consent.

6. Types of Personal Data We Process

Swallow Grange Alternative Provision collects and processes a range of personal data about pupils, parents/carers, and staff, including:

For Pupils:

- **Personal identifiers:** Name, date of birth, unique pupil number, address, contact details.
Sensitive information (Special Category Data): Health information (e.g., medical conditions, allergies, medication, reports from health professionals), SEND information (e.g., EHCPs, specialist reports, assessments, diagnoses), social care involvement, ethnicity, religious beliefs, biometric data (if used, with explicit consent and alternative options).
- **Educational information:** Attendance records, academic progress, behavioural records, assessment results, learning plans, communication with parents/carers.
- **Safeguarding information:** Child protection records, concerns raised, interventions.
- **Photographs and videos:** For educational activities, school events, or promotional materials (with consent).

For Parents/Carers:

- **Personal identifiers:** Name, address, contact details, relationship to pupil.

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- **Financial information:** For payment of services (if applicable).
- **Communication records:** Emails, letters, meeting notes.

For Staff:

- **Personal identifiers:** Name, address, contact details, date of birth, national insurance number, qualifications.
- **Employment information:** Contract details, payroll information, bank details, pension details, performance reviews, training records, disciplinary records.
- **Sensitive information (Special Category Data):** Health information (e.g., medical conditions relevant to work, sick leave records), ethnicity, religious beliefs, trade union membership.
- **Criminal records:** DBS checks.

7. How We Collect Data

We collect personal data through various means, including:

- Admission forms and pupil enrolment processes.
- Directly from pupils, parents/carers, and staff.
- Transfers from previous schools or educational settings.
- Referrals from Local Authorities, health professionals, and other agencies.
- During the course of educational activities and interactions.
- From CCTV systems on school premises (for safety and security).

8. How We Use Personal Data

We use personal data for the following purposes:

- To provide education and support tailored to the individual needs of pupils, particularly those with SEND/SEMH.
- To safeguard and promote the welfare of our pupils.
- To monitor pupil progress, attendance, and behaviour.
- To communicate effectively with parents/carers regarding their child's education and well-being.
- To manage staff employment, including payroll, performance, and professional development.
- To comply with legal and statutory obligations (e.g., DfE census, safeguarding duties, health and safety).
- To ensure the health and safety of all individuals on school premises.
- For administrative and financial management of the provision.
- For statistical analysis and reporting to relevant bodies (e.g., Local Authority, DfE), often in an anonymised or aggregated form.

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- To promote the work of Swallow Grange Alternative Provision (with appropriate consent for photographs/stories).

9. Data Sharing

We may share personal data with third parties where it is lawful and necessary to do so, for example:

- **Local Authority:** For pupil placements, funding, statutory reporting, and safeguarding.
- **Department for Education (DfE):** For national data collection (e.g., school census).
- **Health professionals:** GPs, CAMHS, therapists, paediatricians, where necessary for a pupil's health and well-being, or with consent.
- **Social Care services:** Where there are safeguarding concerns or for welfare support.
- **Other educational settings:** When a pupil transitions to a new school, to ensure a smooth handover of relevant information.
- **External support services:** Educational psychologists, speech and language therapists, behaviour specialists, as part of a pupil's support plan.
- **Emergency services:** In urgent situations to protect vital interests.
- **Ofsted:** For inspection purposes.
- **External IT providers/software vendors:** Who process data on our behalf, under strict contractual agreements that ensure GDPR compliance.
- **Legal advisors, auditors, or insurers:** Where necessary for legal compliance or business operations.

We will always ensure that:

- Data is shared securely.
- Only necessary information is shared.
- There is a clear lawful basis or explicit consent for sharing.
- Where appropriate, Data Processing Agreements are in place with third-party processors.

10. Data Security

Swallow Grange Alternative Provision implements robust technical and organisational measures to ensure the security of personal data, including:

- **Access Controls:** Restricting access to personal data to only those staff who have a legitimate need to access it.
- **Physical Security:** Securing paper records in locked cabinets and rooms.

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- **Cyber Security:** Using firewalls, anti-virus software, strong passwords, and encryption for electronic data. Regular back-ups of electronic data are performed.
- **Staff Training:** All staff receive regular data protection training to ensure they understand their responsibilities.
- **Secure Disposal:** Ensuring that personal data (both physical and electronic) is securely disposed of when no longer required, in accordance with our retention schedule.
- **Pseudonymisation/Anonymisation:** Where appropriate and feasible, data will be pseudonymised or anonymised to reduce identifiability.

11. Data Retention

Personal data will be retained for no longer than is necessary for the purposes for which it was collected, in line with legal requirements and best practice guidance for educational settings. Our Data Retention Schedule [add reference to separate document if applicable] details the specific retention periods for different categories of data. Once data is no longer needed, it will be securely destroyed.

12. Individuals' Rights

Under UK GDPR, individuals have the following rights regarding their personal data:

- **The right to be informed:** Individuals have the right to know how their data is being processed. This is typically provided through privacy notices.
- **The right of access (Subject Access Request – SAR):** Individuals have the right to request a copy of the personal data we hold about them. Requests will be responded to within one calendar month.
- **The right to rectification:** Individuals have the right to request that inaccurate or incomplete data be corrected.
- **The right to erasure ('right to be forgotten'):** Individuals can request the deletion or removal of personal data where there is no compelling reason for its continued processing. This right is not absolute and may not apply if data is required for legal obligations or public interest tasks.
- **The right to restrict processing:** Individuals can request the restriction or suppression of their personal data in certain circumstances (e.g., if accuracy is contested).
- **The right to data portability:** Individuals have the right to obtain and reuse their personal data for their own purposes across different services.

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- **The right to object:** Individuals have the right to object to processing based on legitimate interests or public interest/official authority, including direct marketing.
- **Rights in relation to automated decision making and profiling:** Individuals have the right not to be subject to a decision based solely on automated processing (including profiling) which produces legal effects concerning them or similarly significantly affects them.

Making a Subject Access Request (SAR): Requests should be made in writing to the Head of Provision/Data Protection Officer. We may ask for proof of identity to ensure we are disclosing information to the correct person. For pupils, the right to access their data belongs to the child themselves. However, for children under 13, parents/carers can generally make SARs on their behalf. For children aged 13 and over, we will assess their competence to understand their rights and may require their consent or involvement in the request.

13. Data Protection Officer (DPO)

Swallow Grange Alternative Provision has appointed a Data Protection Officer (DPO) to oversee compliance with this policy and data protection legislation. The DPO acts as the primary contact for all data protection matters and can be contacted at:

Name: Aimee Steedman DPO **Email:**

aimee.steedman@footstepstofutures.co.uk **Telephone:** 01472 514651

The DPO's responsibilities include:

- Advising the provision on its obligations under UK GDPR.
- Monitoring compliance with data protection laws and policies.
- Providing advice on Data Protection Impact Assessments (DPIAs).
- Acting as a contact point for the ICO and for data subjects regarding data protection issues.
- Maintaining records of data processing activities.

14. Data Breach Procedures

In the event of a personal data breach (e.g., accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data), Swallow Grange Alternative Provision will:

- Contain the breach as quickly as possible.
- Assess the risk to individuals' rights and freedoms.
- Report the breach to the ICO within 72 hours of becoming aware of it, if there is a risk to individuals' rights and freedoms.
- Communicate the breach to affected individuals without undue delay if the breach is likely to result in a high risk to their rights and freedoms.
- Investigate the cause of the breach and implement measures to prevent recurrence.

All staff are trained to report any suspected data breaches immediately to the Head of Provision/DPO.

15. Privacy Notices

Swallow Grange Alternative Provision will provide clear and accessible privacy notices to all data subjects (pupils, parents/carers, staff) explaining:

- What personal data we collect.
- Why we collect it (purpose).
- The lawful basis for processing.
- How we use it.
- Who we share it with.
- How long we keep it.
- Their rights as data subjects.
- DPO contact details.

These notices will be available on our website and provided at key points of data collection (e.g., enrolment, employment).

16. Training and Awareness

All staff at Swallow Grange Alternative Provision will receive mandatory data protection training upon induction and regularly thereafter. This training will cover:

- The importance of data protection and individual responsibilities.
- Our data protection policies and procedures.
- How to handle personal data securely.
- How to identify and report data breaches.
- Awareness of individuals' rights.

17. Review of this Policy

This policy will be reviewed annually by the Head of Provision and the Data Protection Officer, or sooner if there are changes to legislation, ICO guidance, or internal practices. Any updates will be communicated to all relevant stakeholders.

18. Complaints

If an individual has a concern about how their personal data is being handled by Swallow Grange Alternative Provision, they should contact the Data Protection Officer in the first instance. If they are not satisfied with the response, they have the right to lodge a complaint with the Information Commissioner's Office (ICO).

Information Commissioner's Office (ICO) Contact Details: Website:
www.ico.org.uk Telephone: 0303 123 1113

Revised: 25th June 2026

Signed: Jayne Chudley – Managing Director