



## Nessie Privacy Notice

You have a legal right to be informed about how Nessie in Ed CIC (Nessie) uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data.

This privacy notice explains how we collect, store and use personal data about you.

We, Nessie, are the 'data controller' for the purposes of data protection law.

### The personal data we hold

We hold some personal information about you to make sure we can help you learn and look after yourself. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Your name
- Your contact details
- Your Date of Birth
- The school you attend
- Your school year group

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This may include:

- Your characteristics, like your ethnic background or any special educational needs
- GP Details and medical conditions
- Details of any behaviour issues or exclusions
- Family circumstances
- Your reason for referral and data regarding your therapy such as symptom level and any goals that you set.

We may also hold data about you that we have received from other organisations, including schools and social services.

When Nessie receives a referral form, the person completing it confirms that they already have your consent. That data will be stored even if we don't work with you. If you are not happy, or did not provide consent, please contact Sarah Blackford: [sblackford@nessieined.com](mailto:sblackford@nessieined.com)



## **Why we use this data**

We use this data to help run our sessions, including to:

- Get in touch with you and your parents when we need to
- Look after your wellbeing

## **Our legal basis for using this data**

We will only collect and use your information when the law allows us to. Most often, we will use your information where:

- We need to comply with the law
- You, or your parents/carers have given us permission to use it in a certain way
- We need to protect your interests (or someone else's interest)

Where we have got permission to use your data, you or your parents/carers may withdraw this at any time. We will make this clear when we ask for permission and explain how to go about withdrawing consent.

Some of the reasons listed above for collecting and using your information overlap, and there may be several grounds which mean we can use your data.

## **Collecting this information**

While in most cases you, or your parents/carers, must provide the personal information we need to collect, there are some occasions when you can choose whether to provide the data.

We will always tell you if it's optional. If you must provide the data, we will explain what might happen if you don't.

If you are 13 years or above and deemed to be Gillick competent you have the legal right to request that your information is not shared with your parent/carers.

<https://www.nspcc.org.uk/preventing-abuse/child-protection-system/legal-definition-child-rights-law/gillick-competency-fraser-guidelines/>

## **How we store this data**

We will keep personal information about you while you are with Nessie. We may also keep it after you have left, where we are required to by law.

We have a record retention of seven years.

If you want to receive a copy of the information that we hold please contact, in writing: Operations Manager, Nessie, King James Academy Royston (Senior Site), Garden Walk, Royston, Hertfordshire, SG8 9JH or email [sblackford@nessieined.com](mailto:sblackford@nessieined.com)



## **Data sharing**

We do not share personal information about you with anyone outside Nessie without permission from you or your parents/carers unless the law and our policies allow us to do so.

Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about you with:

- Data anonymised and shared with NHS England and Herts Commissioners
- Local authority – to meet our legal duties to share certain information with it, such as concerns about pupils' safety and exclusions
- Our registered bodies
- Health authorities
- Police forces, courts, tribunals
- Health and social welfare organisations

## **Your rights**

### **How to access personal information we hold about you**

You can find out if we hold any personal information about you, and how we use it, by making a **'subject access request'**, as long as we judge that you can properly understand your rights and what they mean.

If we do hold information about you, we will:

- Give you a description of the information
- Tell you why we are holding and using it, and how long we will keep it for
- Explain where we got it from, if not from you or your parents
- Tell you who it has been, or will be, shared with
- Give you a copy of the information

You may also ask us to send your personal information to another organisation electronically in certain circumstances.

If you want to make a request please contact our data protection officer.

### **Your other rights over your data**

You have other rights over how your personal data is used and kept safe, including the right to:

- Say that you don't want it to be used if this would cause, or is causing, harm or distress
- Stop it being used to send you marketing materials



- Say that you don't want it used to make automated decisions (decisions made by a computer or machine, rather than by a person)
- Have it corrected, deleted or destroyed if it is wrong, or restrict our use of it
- Claim compensation if the data protection rules are broken and this harms you in some way

## Complaints

We take any complaints about how we collect and use your personal data very seriously, so please let us know if you think we've done something wrong.

You can make a complaint at any time by contacting our Operations Manager.

You can also complain to the Information Commissioner's Office in one of the following ways:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Operations Manager:

Sarah Blackford

Email: [sblackford@nessieined.com](mailto:sblackford@nessieined.com)

Post: Operations Manager, King James Academy Royston (Senior Site), Garden Walk, Hertfordshire, SG8 7JH