



HARMENY EDUCATION TRUST LIMITED

PRIVACY POLICY

1. INTRODUCTION

Harmeny is committed to protecting your personal data and this privacy policy states how we collect data, how we store it and how we use it, in line with the General Data Protection Regulation (GDPR), Data Protection Act, and other relevant legislation.

This privacy policy applies to:

- Children, families and former pupils
- Job applicants
- Employees, consultants, volunteers and trustees
- Supporters and volunteers assisting with fundraising, events and projects
- Individuals making enquiries via our website.

A separate Privacy Statement for the Harmeny SQA Centre can be found on our website.

2. CHILDREN, FAMILIES & FORMER PUPILS

2.1 What information do we collect?

Harmeny holds personal information about you which may include your name, date of birth, address, gender, ethnicity and whether you have a disability, so that we can make sure our services meet your needs. We will also record information about the service provided to you, including case reporting, plans and reviews.

2.2 Why do we collect your information?

Under data protection legislation we must have a legal reason to keep your data and process it. When Harmeny provides you with a service, we will process your data under legitimate interest or public task. We do this because we cannot provide a service to you without using your personal information.

2.3 Who do we share your information with?

We share your data within Harmeny with people who need to see it in order to provide you with a service. We may also share it with the local authority that pays for your service or with external agencies that inspect our work. At the point of your service starting, you will be given information that will provide you with more detail.

We have a legal obligation to share data from 1958 to 1995, relating to former pupils placed at Harmeny during this period, as well as documents relating to the running of the school from then, with Save the Children, who ran the school during this period. We may be required to share your data with other agencies for legal reasons, a court order for example, or with other organisations if we believe that you are at risk of harm or may harm someone else.

There may be occasions when we will ask you for consent to use your data, for example; to help us inform the public about our work. If this is the case, we will explain to you exactly what your data will be used for. You can withdraw your consent at any time, and wherever possible, any of your data that has been used for publicity purposes will be deleted.

2.4 Who is responsible for your data?

The Data Controller is responsible for your data. This may be Harmeny or the local authority that funds the service being delivered by Harmeny. You can get more information about who the Data Controller is for your data by contacting us.

2.5 How long do we keep your data?

Harmeny will keep your data for a specified period of time once we have finished working with you. Depending on the nature of the service and our legal obligations this will be a minimum of 6 years but can extend to 100 years for certain types of work. Information can be provided, on request, which will tell you exactly how long we keep your data and why.

Sometimes Harmeny is required to transfer your data to the local authority who have commissioned us to provide your service, or to another organisation providing you with a service. Information can be provided, on request, which will give you more details about what will happen to your data.

2.6 How can you access your data? (Subject Access Requests)

You may request a copy of the information that Harmeny holds about you by contacting us in writing at:

Harmeny Education Trust
Mansfield Road
Balerno
EH12 5AU

We are required to respond within one calendar month of you asking and may make a small charge for doing so.

2.7 Access to Records

If you make a request to access our historical records, we'll collect information to:

- Check your identity
- Keep a record of all enquiries received
- Help locate the information you've requested
- Monitor our service

We'll never share your data with any other organisation, unless required by law, and once we've acted upon your request, your identity documents will be securely destroyed.

Any other information in relation to your request, such as notes from meetings, is added to your file and stored according to the data protection legal requirements.

3. JOB APPLICANTS – PAID, VOLUNTEER AND TRUSTEE ROLES

As part of any recruitment process, Harmeny collects and processes personal data relating to job applicants. If you apply for a role with Harmeny, we will only use the information you supply to us to process your application and to monitor recruitment statistics.

3.1 What information do we collect?

We will collect a range of information about you, including:

- Your name, address and contact details, including email address and telephone number
- Details of your qualifications, skills, experience and employment history
- Information about your current salary
- Whether or not you have a disability for which we need to make reasonable adjustments during the recruitment process
- Information about your entitlement to work in the UK
- Equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health, and religion or belief. We will only collect this sensitive information with your explicit consent, which can be withdrawn at any time.

3.2 How do we collect your personal data?

We collect it in a variety of ways. For example, you may have filled in an application form, or submitted a CV or resumé, you may have provided your passport details or other identification documents, or we may have collected it through interviews or other forms of assessment, like online tests.

We may also collect information about you from third parties, such as references supplied by former employers. Harmeny will only seek information about you from third parties once we've made you an offer. In all cases the application process will make clear at what point we will be contacting third parties.

3.3 Where will we keep your data?

Your personal information will be stored, securely, within our website Jobs Section, on your application record and HR management system.

3.4 Why do we need your personal data?

We need to process your data in order to enter into a working agreement with you. In some cases we need to process your data to ensure we are complying with our legal obligations, e.g. checking an individual's right to work in the UK.

We have a legitimate interest in processing your personal data during the recruitment process and for keeping records of the process. It allows us to manage that process, assess and confirm your suitability for the role and decide who to offer a role to. We may also need to process data from job applicants to respond to, and defend against, legal claims. Where we are relying on legitimate interest as a reason for processing data, we have considered whether or not those interests override the rights and freedoms of the applicant and have concluded that they do not. We process health information if we need to make a reasonable adjustment to the recruitment process for the candidates who have a disability. This is to carry out our obligations and exercise specific rights in relation to employment.

For some roles Harmeny is obliged to seek information about criminal convictions and offences. This is necessary to carry out our obligations and exercise specific rights in relation to employment.

Harmeny will not use your personal information for any purpose other than the recruitment exercise for which you have applied.

3.5 How long will we keep your data?

Personal information about unsuccessful candidates - including those who have not been shortlisted and those who have been unsuccessful at interview - will be held for up to one year after the recruitment exercise has been completed, and will then be destroyed. Interview notes for all unsuccessful applicants are destroyed after six months. We retain de-personalised statistical information about applicants to help inform our recruitment activities, but no individuals are identifiable from that data.

If you set up an account on our online recruitment system, we will hold your data on file until you delete your account, when your data will be deleted and destroyed.

If your application is successful, personal data gathered during the recruitment process will be transferred to your personnel file and will be retained in accordance with our retention policy.

3.6 Who has access to your data?

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the HR team, interviewers involved in the recruitment process, managers in the area with a vacancy and IT staff if access to the data is necessary for the performance of their roles.

As part of the recruitment process we may need to share your data with third parties in order to conduct any necessary background checks and vetting processes, such as contacting previous employers/referees to obtain a reference; and/or the Disclosure and Barring Service to conduct criminal record checks. As part of the recruitment process, we will make clear to you which checks will be required and at what stage of the process.

3.7 What if you don't provide personal data?

You are under no statutory or contractual obligation to provide data to us during the recruitment process. However, if you do not provide Harmeny with the information, we may not be able to process your application properly, or at all.

You are under no obligation to provide information for equal opportunities monitoring purposes and there are no consequences for your application if you choose not to provide such information.

4. EMPLOYEES, CONSULTANTS, VOLUNTEERS AND TRUSTEES

Harmeny collects and processes personal data relating to its current and former staff, consultants, volunteers regularly supporting the delivery of our services and trustees, in order to manage the work and volunteering relationship with you.

4.1 What information do we collect?

Harmeny collects and processes a range of information about you that is appropriate to the role you perform with us. This will vary depending on whether you are an employed member of staff, sessional worker, volunteer, trustee, contractor, agency worker or student and may include:

- Your name, address and contact details, including email address and telephone number, date of birth and gender
- Your image if you work in a location which has CCTV (we comply with the ICO's CCTV Code of Practice)
- The terms and conditions relating to the work you are doing for Harmeny
- Details of your qualifications, skills, experience and employment history, including start and end dates with previous employers and with us
- Information about your salary, including entitlement to benefits such as pensions or death in service insurance cover
- Details of your bank account and national insurance number
- Information about your marital status, next of kin, dependents and emergency contacts
- Information about your nationality and entitlement to work in the UK
- Information about your criminal record
- Relevant information if you drive a fleet vehicle, your own vehicle for business purposes or if we hire a car for you
- Details of your schedule (days of work and working hours) and attendance at work
- Details of periods of leave taken by you, including holiday, sickness absence, family leave and extended leave, and the reasons for the leave
- Details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence

- Assessments of your performance, including appraisals, performance reviews, training you have participated in, performance improvement plans and related correspondence
- Information about medical or health conditions, including whether or not you have a disability for which the organisation needs to make reasonable adjustments
- Equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief

4.2 How do we collect your personal data?

We collect your information in a variety of ways. For example, you may have filled in an application form, or submitted a CV or resumé; you may have provided your passport details or other identity documents; from forms completed by you at the start or during your work with us; from correspondence with you; or through interviews, meetings or other assessments.

We may also collect information about you from third parties, such as recruitment agencies, references supplied by former employers, and information from criminal records checks as permitted by law.

4.3 Where will we keep your data?

Your personal information will be stored, securely, in several places: in your personnel file (hard copy and electronic staff file), in our HR management systems and in other Information Systems, including Harmeny's internal server and email system.

4.4 Why do we need your personal data?

Harmeny needs to process your data to enter into a working relationship with you and to meet our contractual obligations under any agreement with you. For example, if you are an employee we need to process your data to provide you with an employment contract, to pay you in accordance with that contract and to administer any benefits.

In some cases, Harmeny needs to process data to ensure that we are complying with our legal obligations. For example, it is required to check a worker's right to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled. For certain positions, it's necessary to carry out criminal records checks to ensure that individuals are permitted to carry out the role in question.

In other cases, Harmeny has a legitimate interest in processing personal data before, during and after the end of the working relationship. Processing staff data allows the organisation to:

- Conduct recruitment processes
- Maintain accurate and up-to-date staff records and contact details (including details of who to contact in the event of an emergency), and records of contractual and statutory rights
- Operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace
- Operate and keep a record of employee performance and related processes and workforce management processes
- Operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay and other benefits to which they are entitled
- Obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that workers are receiving the sick pay or other benefits to which they are entitled
- Operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure Harmeny complies with duties in relation to leave entitlement, and to ensure that workers are receiving pay or other benefits to which they are entitled
- Ensure effective general HR and business administration
- Provide references on request for current or former employees

- Respond to and defend against legal claims
- Comply with our statutory and regulatory obligations
- Maintain and promote equality, diversity and inclusion in the workplace.

Where Harmeny is relying on legitimate interest as a reason for processing employee data, we have considered whether, by collecting the data, the charity is infringing the rights and freedoms of our employees and workers and has concluded that we are not.

Some special categories of personal data, such as information about health or medical conditions, are processed to carry out employment law obligations (such as those in relation to employees with disabilities and for health and safety purposes).

Where we process other special categories of personal data, such as information about ethnic origin, sexual orientation, health, religion or belief, this is done for the purposes of equal opportunities monitoring.

4.5 Who has access to the data?

Your information will be shared internally, including with members of the HR Team, Finance Team, your line manager, managers in the area in which you work and any other members of staff for whom access to the data is necessary for the performance of their roles.

Harmeny shares your data with third parties in order to obtain pre-employment references from other employers and, if applicable to your role, to obtain necessary criminal records checks from Disclosure Scotland. In those circumstances the data will be subject to confidentiality arrangements. The services we provide to children and young people are subject to external regulation, so your personal data may also be shared with inspectors, and commissioned service data may be shared with the commissioner.

Harmeny also shares your data with third parties that process data on our behalf, in connection with payroll, the provision of benefits, and the provision of occupational health services.

4.6 How long will we keep your data?

Harmeny will hold your personal data for the duration of your working relationship with us. After the end of your working relationship with us, due to the nature of the work that Harmeny carries out, and in order to meet our safeguarding commitments, we may hold some of your data as long as is necessary in line with legislative requirements.

5. SUPPORTERS, VOLUNTEERS & WEBSITE ENQUIRIES

5.1 What information we collect

If you support us, for example, make a donation, help with fundraising, events or volunteering projects, we will usually collect:

- Your name
- Your contact details, e.g. home address, email address, telephone number
- Information relevant to the type of fundraising, events or volunteering project you wish to help with
- Details on individuals, companies or trusts that you have chosen to share with us
- Date of birth (for young people who wish to help with fundraising, since accompaniment by an adult may be required, depending on the type of fundraising).

Where it is appropriate, we may ask for:

- Information relating to your health (for example if you are taking part in a high-risk event).

- Your motivation for giving, including whether this relates to any personal experience of Harmeny. We will never make this question mandatory, and only want to know the answer if you are comfortable telling us.

5.2 Why we collect your information

We will mainly use your data for the purposes below:

- Dealing with your enquiries, requests or complaints
- Sharing information about our work, events and fundraising activities
- Helping Harmeny with fundraising activities, events and volunteering projects
- Administering donations, including processing gift aid
- Keeping a record of your relationship with us
- Managing your contact and marketing preferences
- Complying with our legal obligations, policies and procedures.

Whatever it is about Harmeny you are interested in, we really want to be as tailored as we can in our communications to you. We also want to speak to you in the way you'd prefer - be it by email, phone or in writing.

5.3 Direct marketing

With your consent, we will contact you to let you know about the progress we are making with the children and young people with whom we work. We would also like to tell you about how your support is helping and other ways you can help in the future, whether that's through volunteering, events or fundraising. From time to time, we may also send you information about appeals, asking for a donation to help us with our work with disadvantaged children.

We promise that we will only communicate with you in the way you wish us to and will always respect your privacy. You can change your mind at any time and it's quick and easy to let us know you no longer want to hear from us by calling our admin team on 0131 449 3938 or emailing us at admin@harmeny.org.uk. We will always respond to your wishes in a sensitive, timely, courteous and professional way.

Please be assured that we will take appropriate measures to keep your personal information safe and secure and we promise not to over contact you. We will never pass your information on to other organisations for them to use for their own marketing purposes.

5.4 Where we collect information about you from

We collect information in the following ways:

5.4.1 When you give it to us directly

You may give us your information in order to sign up for one of our events, tell us your story, make a donation, volunteer, or communicate with us.

5.4.2 When you give it to us indirectly

Your information may be shared with us by independent event organisers; for example a Marathon organiser or fundraising sites like Just Giving, Virgin Money Giving, or BT MyDonate. These independent third parties will only do so when you have indicated that you wish to support Harmeny and with your consent. You should check their Privacy Policy when you provide your information to understand fully how they will process your data.

5.4.3 When you give permission to other organisations to share it

Depending on your settings or the privacy policies for social media and messaging services like Facebook, WhatsApp or Twitter, you might give us permission to access information from those accounts or services.

You may also provide permission for third-party organisations to share your data with other third parties, including charities. You may do this when you buy a product or service, register with a website that runs competitions or register with a comparison site.

The information we get from those services depends on your settings or the responses you give, so you should regularly check them.

5.4.3 When we collect it as you use our website

Like most websites, we use 'cookies' to help us make our site - and the way you use it - better. Cookies mean that a website will remember you. They're small text files that sites transfer to your computer (or phone or tablet).

The Harmeny website uses a cookie for Google Analytics. It does not capture or store personal information but merely logs the user's IP address which is automatically recognised by the web server. This is used to record the number of visitors to our site and volumes of usage.

For more information about Google Analytics visit the [Google Analytics website](#)

Please note we use a third party company – Cole AD – to maintain our website, who have their own and separate Privacy Policy, viewable on the following link: <http://cole-ad.co.uk/privacy-policy/>

5.4.5 How we keep your data safe and who has access

We ensure that there are appropriate technical controls in place to protect your personal details; for example, our network is protected and routinely monitored.

We undertake regular reviews of who has access to information that we hold to ensure that your information is only accessible by appropriately trained staff, volunteers and contractors.

We may need to disclose your details if required by the police, regulatory bodies or legal advisors.

We will only ever share your data in other circumstances if we have your explicit and informed consent.

5.4.6 Keeping your information up to date

Where possible we use publicly available sources to keep your records up to date. We really appreciate it if you let us know if your contact details change.

5.4.7 Your right to know what we know about you, make changes or ask us to stop using your data

You have a right to ask us to stop processing your personal data. If it's not necessary for the purpose you provided it for (e.g. processing your donation or registering you for an event), we will do so.

Please contact us on **0131 449 3938** or admin@harmeny.org.uk if you have any concerns.

You have a right to ask for a copy of the information we hold about you, although we may charge a small amount to provide this. If you spot any mistakes, please let us know and we will correct them.

If you want to access your information, send a description of the information you want to see, and proof of your identity by post to:

Harmeny Education Trust
Mansfield Road
Balerno
EH14 7JY

Or by email to: admin@harmeny.org.uk

6. CHANGES TO THIS POLICY

We may change this Privacy Policy from time to time. If we make any significant changes in the way we treat your personal information, we will make this clear on the Harmeny website or by contacting you directly.

January 2019