



Privacy Notice

Train With Ross (TWR) is committed to ensuring that your privacy is protected.

This Privacy Notice provides detailed information about how and why we use (or “process”) personal data and what we do with that information. It also explains the decision that you can make about your own information. Data protection legislation gives individuals rights to understand how their data is used. Staff, parents and pupils are all encouraged to read this Privacy Notice and understand TWR's obligations to its entire community. Anyone who works for, or acts on behalf of TWR should also be aware of and comply with this Privacy Notice .

Please read it carefully, and if you have any questions regarding your personal data or its use, please contact us at ross@trainwithross.co.uk; or by telephone on 07806751470.

Types of personal data we process

We process personal data about prospective, current and past pupils, staff and suppliers other individuals connected to TWR.

Personal information is information that identifies you as an individual – it may be factual information, images or other recorded information.

Examples include:

- Names, addresses, telephone numbers, email addresses and other contact details;
- Family details;
- Images, audio and video recordings;
- Financial information and bank details (eg for payments and refunds);
- Courses, meetings or events attended;
- Where appropriate, information about individuals' health and welfare, and contact details for their next of kin; and
- Personnel files, including in connection with academics, employment or safeguarding.

As a swim company, we need to process special category personal data (eg concerning health, ethnicity, religion or biometric data) and criminal record information about some individuals (particularly pupils and staff). We do so in accordance with applicable law (including with respect to safeguarding employment) or by explicit consent.

What we do with the information we gather

TWR's primary reason for processing data is to maintain a safe environment while providing and aquatic education to the pupils. In order to do this we process data to keep pupils in good health and under safe supervision.

We set out below examples of the different ways in which we use personal information and where this data comes from:

- We obtain information about the pupil and family from application forms about health and contact information.
- We may take photographs or videos of you and / or your daughter at TWR events, to use in printed publications, on social media and on the website. This is to showcase the range of opportunities on offer at TWR and to celebrate the successes of pupils across TWR. Although we endeavour to use only the most recent footage, we may continue to use these photographs and videos after the pupil has left the school. Currently on entry to TWR, you have the option to opt in or out of the use of such photographs and videos.
- We may send you information to keep you up to date with what is happening at TWR. For example, by sending you information about events and activities that may be of interest, such as stroke clinics, parent talks or change to lesson information.
- We may use the information to customise the website according to your preferences.

Collecting, handling and sharing personal data

We are committed to ensuring that your information is secure. We collect most of the personal data we process directly from the individual concerned (or in the case of pupils, from their parents). In some cases we collect data from third parties (for example referees, the Disclosure and Barring Service) or from publicly available resources.

Personal data held by us is processed by appropriate members of staff for the purposes for which the data was provided. We take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies around use of technology and devices.. We do not transfer personal data outside of the European Economic Area, unless it is lawful to do so under data protection legislation.

TWR will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Individuals must please notify the compliance officer of any significant changes to important information, such as contact details, held about them. An individual has the right to request that any out-of-date, irrelevant or inaccurate or information about them is erased or corrected (subject to certain exemptions and limitations under data protection legislation): please see below for contact details.

In the course of TWR business, we share personal data (including special category personal data where appropriate) with third parties such as relevant authorities (eg the Local Children Safeguarding Board, Social Services and NHS Services, HM Revenues and Customs and Department for Work and Pensions).

Some of our systems are provided by third parties, eg hosted databases, TWR website. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with our specific directions.

We do not otherwise share or sell personal data to other organisations for their own purposes.

The lawful basis on which we use this information

This section outlines the legal basis that we are relying on when handling personal data.

Legitimate Interests

TWR relies on legitimate interests for most of the ways in which it uses your information. This means we use personal data in accordance with TWR's legitimate interests, or the legitimate interests of another, provided that these are not outweighed by the impact on individuals, and provided it does not involve special or sensitive types of data.

Specifically, TWR expects that the following uses will fall within TWR's (or another's) legitimate interests:

- Providing swimming instruction to your child
- Safeguarding and promoting the welfare of your child (and other children)
- Promoting the objects and interests of TWR. This includes maintaining relationships with TWR community and direct marketing. TWR will use the contact details of parents, clients and other members of TWR community to keep them updated about the activities of TWR, or clients and parent events of interest, including by sending updates, by email
- Facilitating the efficient operation of TWR
- To give and receive information and references
- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as tax, diversity or gender pay gap analysis)
- To enable relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate
- Video footage for analysis and feedback with annotations
- To carry out or cooperate with any TWR or external complaints, disciplinary or investigation process
- Ensuring that all relevant legal obligations of TWR are complied with
- Where otherwise reasonably necessary for TWR's purposes, including to obtain appropriate professional advice and insurance for TWR.

Necessary for a contract

We will need to use your information in order to perform our obligations under our contract with you. For example, we need your name and contact details so that we can update you on your child's progress and so that we can contact you if there is a concern or change to the session.

Legal obligation

Where TWR needs to use your information in order to comply with a legal obligation, for example to report a concern to Children's Services. We may also have to disclose your information to third parties such as the courts, the local authority or the police where legally obliged to do so.

Vital interests

For example to prevent someone from being seriously harmed or killed.

TWR must also comply with an additional condition where it processes special categories of personal information or criminal records information. These special categories are: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic information, biometric information, health information and information about sex life or orientation. We will process special category personal data or criminal records information in accordance with rights or duties imposed on us by law, including as regards safeguarding and

employment, or from time to time by explicit consent where required. These reasons will include:

- To safeguard pupils' welfare and provide appropriate pastoral (and where necessary, medical) care, and to take appropriate action in the event of an emergency, incident or accident, including by disclosing details of an individual's medical condition or other relevant information where it is in the individual's interests to do so: for example for medical advice, for social protection, safeguarding, and cooperation with police or social services, for insurance purposes or to caterers or organisers of school trips who need to be made aware of dietary or medical needs
- In connection with employment of staff, for example DBS checks, welfare, union membership or pension plans
- As part of any TWR or external complaints, disciplinary or investigation process that involves such data, for example if there are health or safeguarding elements
- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with TWR's legal obligations and duties of care.

How long we keep personal data

TWR will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason. Typically, the legal recommendation for how long to keep ordinary staff and pupil personnel files is up to 7 years following departure from TWR. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

We will keep some information after you/your child has left TWR, in case of inquiries and for historical, research or statistical purposes. If you have any specific queries about our record retention periods, please contact the compliance officer. Please bear in mind that TWR will often have lawful and necessary reasons to hold on to some personal data even if you ask us to consider it for erasure.

Your rights

Data protection legislation gives you a number of rights regarding your information as follows:

- Where TWR is relying on consent as a means to process personal data, you have the right to withdraw consent, where given, or otherwise object to receiving generic or fundraising communications. Please be aware however that TWR may have another lawful reason to process the personal data in question even without your consent. That reason will usually have been set out under this Privacy Notice (or elsewhere in data protection legislation), or may exist under some form of contract or agreement with the individual (eg an employment or personal contract, or because of membership of one of our associations).
- You can ask what information we hold about you and be provided with a copy. We will also give you extra information such as why we use this information, where it came from and what types of people we have sent it to. You should be aware that the right of access is limited to your own personal data, and certain data is exempt from the right of access. This will include information which identifies other individuals (and parents need to be aware this may include their own children, in certain limited situations – please see further below), or information which is subject to legal privilege (for example legal advice given to or sought by TWR, or documents prepared in connection with a legal action).
- You can ask us to delete the information that we hold about you in certain circumstances, for example where we no longer need the information.
- In some cases you can ask us to amend the personal data we hold or have it transferred to

others, or for TWR to stop processing it – but subject to certain exemptions and limitations. We will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing your (or your child's) personal data: for example, a legal requirement, or where it falls within a legitimate interest identified in this Privacy Notice. All such requests will be considered on their own merits.

- You can ask us to send you, or another organisation, certain types of information about you in a format that can be read by computer.
- Our use of information about you may be restricted in some cases, for example if you tell us that the information is inaccurate, we can only use it for limited purposes while we check its accuracy.

If you would like to access or amend your personal data, or have some other objection to how your personal data is used, please make your request in writing to: the Compliance Officer, Train With Ross, 53 Roe Green Lane, Hatfield, Hertfordshire, AL10 0SH.

We will respond to any such written requests as soon as is reasonably practicable and in any event within statutory time-limits, which is one month in the case of requests for access to information. We will be better able to respond quickly to smaller, targeted requests for information. If the request is manifestly excessive or similar to previous requests, we may ask you to reconsider or charge a proportionate fee, but only where data protection legislation allows it.

Pupil Data

The rights under data protection legislation belong to the individual to whom the data relates. However, we will often rely on parental consent to process personal data relating to pupils (if – and only if - consent is required) unless, given the nature of the processing in question, and the pupil's age and understanding, it is more appropriate to rely on the pupil's consent. Parents should be aware that in such situations they may not be consulted, depending on the interests of the child, the parents' rights at law or under the Parent Contract, and all the circumstances.

In general, we will assume that pupils' consent is not required for ordinary disclosure of their personal data to their parents, e.g. for the purposes of keeping parents informed about the pupil's activities, progress and behaviour, and in the interests of the pupil's welfare, unless, in the school's opinion, there is a good reason to do otherwise.

However, where a pupil seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents, we may be under an obligation to maintain confidentiality unless, in our opinion, there is a good reason to do otherwise; for example where the school believes disclosure will be in the best interests of the pupil or other pupils, or is required by law.

Pupils can make subject access requests for their own personal data, provided that they have sufficient maturity to understand the request they are making. Our pupils are generally assumed to have this level of maturity. A person with parental responsibility will generally be entitled to make a subject access request on behalf of pupils, but the information in question is always considered to be the child's at law. A pupil of any age may ask a parent or other representative to make a subject access request on their behalf. Moreover (if of sufficient maturity) their consent or authority may need to be sought by the parent making such a request.

This Policy

Our Privacy Notice should be read in conjunction with our other policies and terms and conditions which make reference to personal data, including but not limited to the Parent Contract, our Safeguarding Policy, Data Protection policy, Health & Safety Policies, Acceptable Use Policies.

We will update this Notice from time to time. Any substantial changes that affect how we process your personal data will be notified on the website and to you directly, as far as practicable.

If you believe that we have not complied with this policy or have acted otherwise than in accordance with data protection legislation, you should notify the Compliance Officer, Train With Ross, 53 Roe Green Lane, Hatfield, Hertfordshire, AL10 0SH.

Last updated May 2018